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[HAMILTON—*The Farmer Refuted*, 1775, Æt. 18.]

"We are laboring hard to establish in this country principles more and more *national*, and free from all foreign ingredients, so that we may be neither 'Greeks nor Trojans,' but truly Americans." [HAMILTON TO KING, 1796, Æt. 39.]

Volume X

G. P. Putnam's Sons
New York and London
The Knickerbocker Press
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PRIVATE CORRESPONDENCE
(*Continued*)

TO RUFUS KING

PHILADELPHIA, July 25, 1792.

MY DEAR SIR:

I received, lately, a letter from you, in which you expressed sentiments according with my own on the present complexion of your party politics, as, if a letter of mine to you did not miscarry, you will have seen. I wished that Clinton and his party should be placed in a just light before the people, and that a spirit of dissatisfaction, within proper bounds, should be kept alive; and this for national purposes, as well as from a detestation of their principles and conduct.

But a resort to first principles, in any shape, is decidedly against my judgment. I don't think the occasion will, in any sense, warrant it. It is not for the friends of good government to employ extraordinary expedients, which ought only to be resorted to in cases of great magnitude and urgent necessity. I reject as well the idea of a convention as of force.

To rejudge the decision of the canvassers by a convention, has to me too much the appearance of reversing the sentence of a court by a legislative decree. The canvassers had a final authority in all the forms of the Constitution and laws. A question

arose in the execution of their office, not absolutely free from difficulty which they have decided (I am persuaded wrongly), but within the power vested in them. I do not feel it right or expedient to attempt to reverse the decision by any means not known to the Constitution or laws.

The precedent may suit us to-day; but to-morrow we may see its abuse.

I am not even sure that it will suit us at all. I see already publications aiming at a revision of the Constitution, with a view to alterations which would spoil it. It would not be astonishing, if a convention should be called, if it should produce more than is intended. Such weapons are not to be played with. Even the friends of good government, in their present mood, may fancy alterations desirable which would be the reverse.

Men's minds are too much unsettled everywhere at the present juncture. Let us endeavor to settle them, and not to set them more afloat. I find that strong-minded men here view the matter in the same light with me, and that even Mr. Jay's character is likely in a degree, to suffer by the idea that he fans the flame a little more than is quite prudent. I wish this idea to be conveyed to him with proper *management*. I have thoughts of writing to him.

You see, out of the reach of the contagion, I am very cool and reasonable. If I were with you I should probably not escape the infection.

Francis Childs[1] is a very cunning fellow. In

[1] Editor of the *New York Daily Advertiser*, and proprietor, with Freneau, of the *National Gazette*.

Philadelphia, in the person of his proxy, Freneau, he is a good Anti-federalist and Clintonian; in New York, he is a good Federalist and Jayite. Beckley and Jefferson pay him for the first, and the Federal citizens of New York for the last. Observe a paragraph in his *Daily Advertiser* of the 18th instant. These things ought, in a proper way, to be brought into view.

TO COLONEL EDWARD CARRINGTON

PHILADELPHIA, July 25, 1792.

MY DEAR SIR:

I have received and thank you for your two letters of the 11th instant.

When I asked your opinion concerning the most fit position for a branch of the bank, I had no idea that the question would have been decided with so much precipitation as has happened. After some loose conversation with individual directors, in which the comparative merits of different places were slightly discussed, and left, as I understood, for further information, I was surprised with an intimation that the place had been decided upon, that Richmond was that place, and that some day in August had been assigned for choosing directors. A predominating motive, though an insufficient one, appears to have been that most of the bank-stock held in Virginia is held by persons in and about Richmond.

The reasons assigned in your letter in favor of another place are prodigiously weighty. Without

committing you, they shall be made known before the thing is finally finished. But I suspect it has gone too far.

Your observations concerning the temper of the people of your State are, as far as they go, consoling. Reflections according with them had arisen in my mind, though I could not be sure that I might not overrate circumstances. I shall wait with expectation for the further communication which you are so obliging as to promise.

What you remark concerning the non-execution of the excise law in North Carolina is very interesting. The probable effect of a continuance of the affair in the same posture is obvious. It has been the wish to win the object from time and reflection. But this can no longer be relied upon. The thing must be brought to an issue, and will be, as soon as the new arrangement respecting compensations is completed. If process should be violently resisted in the parts of North Carolina bordering on your State, how much could be hoped from the aid of the militia of your State?[1]

TO RUFUS KING

July 27, 1792.

Desirous of examining accurately the question decided by the canvassers, I will thank you for a

[1] This letter is now first printed from the original in the possession of the same gentleman to whom I owe another letter already given on page 230 of Vol. IX., and whose name I am unfortunately prevented from giving, as I have explained in a note on page 231.

minute of all the authorities which were consulted by you when you gave your opinion.[1]

I shall be glad to have them as soon as convenient.

TO WASHINGTON

PHILADELPHIA, July 30, 1792.

SIR:

I received the most sincere pleasure at finding in our late conversation, that there was some relaxation in the disposition you had before discovered to decline a re-election. Since your departure, I have left no opportunity of sounding the opinions of persons, whose opinions were worth knowing on these two points. 1st. The effect of your declining, upon the public affairs, and upon your own reputation. 2dly. The effect of your continuing, in reference to the declarations you have made of your disinclination to public life; and I can truly say that I have not found the least difference of sentiment on either point. The impression is uniform, that your declining would be to be deplored as the greatest evil that could befall the country at the present juncture,

[1] This letter, and those which precede, refer to one of the earliest and worst of our election frauds. Burr wished to run against Clinton, but was baffled by Hamilton, the result being that Jay was nominated, and, after a most heated canvass, elected. His election depended, however, on the votes of three counties, and the Clintonian board of canvassers threw out, on the most technical and flimsy grounds, the votes of these counties and burned them. There was great wrath and excitement over this "count out," as it would now be called, and a convention and other violent measures were proposed, which Hamilton resisted. The Legislature, by a party vote, sustained the canvassers, and declared Clinton elected by a majority of 108 votes.

and as critically hazardous to your own reputation; that your continuance will be justified in the mind of every friend to his country, by the evident necessity for it. 'T is clear, says every one with whom I have conversed, that the affairs of the national government are not yet firmly established—that its enemies, generally speaking, are as inveterate as ever—that their enmity has been sharpened by its success, and by all the resentments which flow from disappointed predictions and mortified vanity—that a general and strenuous effort is making in every State to place the administration of it in the hands of its enemies, as if they were its safest guardians —that the period of the next House of Representatives is likely to prove the crisis of its permanent character—that if you continue in office nothing materially mischievous is to be apprehended, if you quit, much is to be dreaded—that the same motives which induced you to accept originally ought to decide you to continue till matters have assumed a more determined aspect—that indeed it would have been better, as it regards your own character, that you had never consented to come forward, than now to leave the business unfinished and in danger of being undone—that in the event of storms arising, there would be an imputation either of want of foresight or want of firmness—and, in fine, that on public and personal accounts, on patriotic and prudential considerations, the clear path to be pursued by you will be, again to obey the voice of your country, which, it is not doubted, will be as earnest and as unanimous as ever.

On this last point, I have some suspicion that it will be insinuated to you, and perhaps (God forgive me if I judge hardly) with design to place before you a motive for declining—that there is danger of a division among the electors, and of less unanimity in their suffrages than heretofore. My view of this matter is as follows:

While your first election was depending, I had no doubt that there would be characters among the electors, who, if they durst follow their inclinations, would have voted against you; but that in all probability they would be restrained by an apprehension of public resentment—that nevertheless it was possible a few straggling votes might be found in opposition, from some headstrong and fanatical individuals —that a circumstance of this kind would be in fact, and ought to be estimated by you, as of no importance, since there would be sufficient unanimity to witness the general confidence and attachment towards you.

My view of the future accords exactly with what was my view of the past. I believe the same motives will operate to produce the same result. The dread of public indignation will be likely to restrain the indisposed few. If they can calculate at all, they will naturally reflect that they could not give a severer blow to their cause than by giving a proof of their hostility to you. But if a solitary vote or two should appear wanting to perfect unanimity, of what moment can it be? Will not the fewness of the exceptions be a confirmation of the devotion of the community to a character which has so generally

united its suffrages after an administration of four years at the head of a new government, opposed in its first establishment by a large proportion of its citizens, and obliged to run counter to many prejudices in devising the arduous arrangements requisite to public credit and public order? Will not those who may be the authors of any such exceptions, manifest more their own perverseness and malevolence than any diminution of the affection and confidence of the nation? I am persuaded that both these questions ought to be answered in the affirmative, and that there is nothing to be looked for, on the score of diversity of sentiment, which ought to weigh for a moment.

I trust, sir, and I pray God, that you will determine to make a further sacrifice of your tranquillity and happiness to the public good. I trust that it need not continue above a year or two more; and I think that it will be more eligible to retire from office before the expiration of a term of election, than to decline a re-election.

The sentiments I have delivered upon this occasion, I can truly say, proceed exclusively from an anxious concern for the public welfare, and an affectionate personal attachment. These dispositions must continue to govern in every vicissitude one who has the honor to be, very truly and respectfully, etc.

August 3d. Since writing the foregoing, I am favored with your interesting letter of the 29th of July. An answer to the points raised is not difficult, and shall as soon as possible be forwarded.

TO WASHINGTON

TREASURY DEPARTMENT, Aug. 10, 1792.

SIR:

I have been duly honored with your letters of the 1st and 5th instant. A copy of the letter is inclosed according to your desire.

You may depend upon it, sir, that nothing shall be wanting in this department to furnish all requisite supplies for the army with efficiency and economy, and to bring to exact account all persons concerned in them as far as shall consist with the powers of the department. Hitherto moneys have been furnished to the War Department as they have been called for, for procuring all those articles which have not been objects of direct contract with the Treasury. And I learn from the Secretary of War that every thing is in great maturity.

Under the former system, provisions and clothing were the only articles which the Treasury had the charge of procuring; the receiving, issuing, and inspecting their quality belonged to the Department of War by usage.

The act of the last session, entitled "An act making alterations in the Treasury and War Departments," prescribes that all purchases and contracts for all supplies for the use of the Department of War, be made *by* or *under the direction of* the Treasury Department.

As much progress has been made in the preparation for the campaign, prior to the passing of this act, by the Secretary of War, I thought it best to continue the business under his immediate care for

some time—till in fact all the arrangements begun should be completed. It is now, however, determined that on the first of September the business of procuring all supplies will be begun under the immediate direction of the Treasury, upon estimates and requisitions from time to time furnished and made by the Department of War.

The arrangement which is contemplated for this purpose is the following:—Provisions and clothing will be provided as heretofore, by contracts made by the Secretary of the Treasury pursuant to previous advertisements. Articles in the quartermaster's department will be to be procured by him, or his agents or deputies; for which purpose, advances of money will be made to him directly, to be accounted for to the Treasury by him. Ordnance stores, Indian goods, and all contingent supplies, will be procured by an agent who will be constituted for the purpose, with an allowance of eight hundred dollars a year in lieu of commission. Accounts for his purchases, in every case in which it can conveniently be done (which will comprehend the greatest number of cases), will be settled immediately with the Treasury, and the money paid directly to the individuals. In other cases, advances on account will be made to the agent, to be accounted for directly to the Treasury.

A leading object of this arrangement is to exempt the officers, both of the War and Treasury Departments, from the ill-natured suspicions which are incident to the actual handling and disbursements of public money. None of the inferior officers of

either department, except the Treasurer, will have any concern with it.

The supplies of every kind will be delivered to the order of the Department of War. The issuing of them and the accounting for the issues (except as to provisions, which are directly issued by the contractors to the troops, and which are proved to the Treasury upon vouchers prescribed for the purpose) appertain to the Department of War. The regulations which have been adopted for the purpose, will no doubt be eagerly reported to you by the Secretary of War, as well as those which have been concerted with the Treasury respecting the paying and accounting for the pay of the troops.

I beg leave to assure you, that, in the application of the general arrangement which you have adopted respecting the execution of the act concerning distilled spirits, the greatest attention will be paid to economy, as far as the precautions of the Treasury can insure it.

I presume it to have been your intention that the opinion of the Attorney-General should be taken as to the power of the President to appoint the supplementary officers contemplated during the recess of the Senate; which shall accordingly be done.

It affords me much satisfaction to observe that your mind has anticipated the decision to enforce the law, in case a refractory spirit should continue to render the ordinary and more desirable means ineffectual. My most deliberate reflections have led me to conclude, that the time for acting with decision is at hand; and it is with pleasure I can add, that an

increasing acquiescence is likely to render this course the less difficult in the cases in which an uncomplying temper may finally prevail.

I shall without delay execute your directions respecting the officers of the cutters.

TO ELIAS BOUDINOT

PHILADELPHIA, Aug. 13, 1792.

MY DEAR SIR:

Some skirmishing having begun in the *Gazette of the United States* respecting Mr. Freneau's receiving a salary from government, I mentioned in conversation with a friend all that I knew of the matter, and among other things, but without naming you, the information you had given me concerning Mr. Madison's negotiation with Freneau. Upon this he founded a very pointed attack upon Mr. Freneau and Mr. Jefferson, which I dare say you have seen, as also Mr. Freneau's affidavit denying all negotiation with "Thomas Jefferson, Esq., Secretary of State," etc., etc. The gentleman has since applied to me to obtain, if possible, an authentication of the fact of the negotiation.

If I recollect right, you told me that this, if necessary, could be done; and, if practicable, it is of real importance that it should be done. It will confound and put down a man who is continually machinating against the public happiness.

You will oblige me in the most particular manner by obtaining and forwarding to me without delay the particulars of all the steps taken by Mr. Madison

—the when and where—and with liberty to use the name of the informant. His affidavit to the facts, if obtainable, would be of infinite value. Care ought to be taken that nothing is asserted which is not unquestionable.

TO JOHN ADAMS

PHILADELPHIA, Aug. 16, 1792.

DEAR SIR:

I have been duly favored with your letter of the 4th inst. A warrant for one thousand dollars in your favor has issued. If any authorization from you had been sent to your son or any one else, your signature on the warrant would have been unnecessary. But as it is, it will be indispensable. Perhaps, however, the Treasurer may pay in expectation of it.

The question when the Vice-President entered on the duties of his office is open at the Treasury, though an opinion has obtained that the taking of the oath was the criterion. This has been founded on two considerations—analogy to the case of the President. The Constitution requires that he shall take an oath *before* he enters upon the *execution* of his office. He cannot enter upon the duties of it without entering upon the execution of it, and he cannot legally do the latter till he has taken the oath prescribed. The same injunction, however, is not laid upon the Vice-President, and therefore, except by analogy, resort must be had to the second consideration, namely, that the taking of the oath of office is the legal act

of acceptance and may be supposed to date the commencement of service.

But this reasoning, it must be confessed, is not conclusive, and therefore the opinion of the Attorney-General will be taken, both as to the President and Vice-President, and I presume will guide in the adjustment.

Twenty thousand dollars have been appropriated, and the advances by anticipation may reach that limit.

You forgot that Mr. Clinton could feast upon what would starve another. He will not, however, have an opportunity of making the experiment, and I hope the starvation policy will not long continue fashionable.

Your confirmation of the good disposition of New England is a source of satisfaction. I have a letter from a well-informed friend in Virginia who says: "All the persons I converse with are prosperous and happy, and yet most of them, including the friends of the government, appear to be much alarmed at a supposed system of policy tending to subvert the republican government of the country." Were ever men more ingenious to torment themselves with phantoms?

TO WILLIAM SETON

August 17, 1792.

My Dear Sir:

Your letter mentioning certain particulars respecting the two banks has been received and will be duly attended to. I trust, however, that certain

appearances have in no degree proceeded from any unkind disposition. The solution, I believe, is to be found in the necessity of sending here a considerable sum in specie. Large payments into the Bank of North America on account of the State of Pennsylvania, subscriptions to canals, etc., and large calls upon the Bank of the United States for the services of government, joined to liberal discounts, had produced a considerable balance in favor of the Bank of North America, which rendered it expedient to draw a sum of specie from New York, not to leave the National Bank in any degree in the power of the Bank of North America, which once manifested a very mischievous disposition, that was afterwards repaid by acts of kindness and generosity. The tide is now changing and must speedily reverse the balance, and I mention it in confidence, because I wish by explaining to cherish the confidence between the two institutions at New York so necessary to their mutual interest.

Inclosed, my dear sir, is a letter to Mr. Donald, of St. Vincents, which I beg your most particular care in forwarding. I presume he is a merchant there, but a gentleman lately mentioned to me that he thought the name of the Governor of St. Vincents was Donald. If so, he is probably the person intended. I received a letter from him giving me some information of my father. The letter to Mr. Donald covers one to my father, who, from a series of misfortunes, was reduced to great distress.. You will perceive from this that I must be anxious for the safe conveyance of my letter. If there is any person

of whom you can make previous inquiry concerning Mr. Donald, you will oblige me by doing it as a guide in forwarding the letter. I mean to send a duplicate from this place.

TO JOHN JAY

(Private.)

PHILADELPHIA, Sept. 3, 1792.

MY DEAR SIR:

The proceedings at Pittsburgh which you will find stated in the inclosed papers and other incidents in the western parts of this State announce so determined and persevering a spirit of opposition to the laws, as in my opinion to render a vigorous exertion of the powers of government indispensable. I have communicated this opinion to the President, and I doubt not his impressions will accord with it. In this case, one point for consideration will be the expediency of the next Circuit Court's noticing the state of things in that quarter, particularly the meeting at Pittsburgh and its proceedings. You will observe an avowed object is to "*obstruct the operation* of the law." This is attempted to be qualified by a pretence of doing it by "every legal measure." But "legal measures" to "obstruct the operation of a law" is a contradiction in terms. I therefore entertain no doubt that a high misdemeanor has been committed. The point, however, is under submission to the Attorney-General for his opinion.

There is really, my dear sir, a crisis in the affairs of the country which demands the most mature consideration of its best and wisest friends.

I beg you to apply your own most serious thoughts to it, and favor me as soon as possible with the result of your reflections. Perhaps it will not be amiss for you to converse with Mr. King. His judgment is sound—he has caution and energy.

Would a proclamation from the President be advisable, stating the criminality of such proceedings, and warning all persons to abstain from them as the laws will be strictly enforced against all offenders?

If the plot should thicken and the application of force should appear to be unavoidable, will it be expedient for the President to repair in person to the scene of commotion?

These are some of the questions which present themselves. The subject will doubtless open itself in all its aspects to you.

TO ———

DEAR SIR: PHILADELPHIA, Sept. 21, 1792.

I take the liberty to inclose you the copy of a letter from a very respectable friend in New York. The contents surprised me—nor am I quite persuaded that the appearance of Mr. Burr on the stage is not a diversion in favor of Mr. Clinton.[1]

Mr. Clinton's success I should think very unfortunate; I am not for trusting the government too much in the hands of its enemies. But still Mr. C. is a man of property, and in private life, as far as I know, of probity. I fear the other gentleman is

[1] This refers to the contest for the Vice-Presidency at the second national election. The struggle finally settled down to Clinton and Adams, and the latter was elected.

unprincipled, both as a public and a private man. When the Constitution was in deliberation, his conduct was equivocal, but its enemies, who, I believe, best understood him, considered him as with them. In fact, I take it, he is for or against nothing, but as it suits his interest or ambition. He is determined, as I conceive, to make his way to be the head of the popular party, and to climb *per fas aut nefas* to the highest honors of the State, and as much higher as circumstances may permit. Embarrassed, as I understand, in his circumstances, with an extravagant family, bold, enterprising, and intriguing, I am mistaken if it be not his object to play the game of confusion, and I feel it to be a religious duty to oppose his career.

I have hitherto scrupulously refrained from interference in elections; but the occasion is, in my opinion, of sufficient importance to warrant in this instance a departure from that rule. I therefore commit my opinion to you without scruple; but in perfect confidence. I pledge my character for discernment, that it is incumbent upon every good man to resist the present design.

TO RUFUS KING

September 23, 1792.

My Dear Sir:

Though I had had a previous intimation of the possibility of such an event, yet the intelligence contained in your letter of the 17th surprised me. Even now I am to be convinced that the movement is any thing more than a diversion in favor of Mr. Clinton;

yet, on my part, it will not be neglected. My attention, as far as shall be in any degree safe, will be directed to every State south of New York. I do not go beyond it, because other influences would be quite as efficacious there as mine.

A good use will be made of it in this State. I wish a letter could be written here, stating the plan, and Mr. Dallas' assertion respecting Pennsylvania, which could be made use of without reserve. You well know who could write such a letter, and of course to whom it might be addressed. Mr. Lewis would be the most proper person to be written to. This is a matter of importance, and if practicable no time should be lost.

I wrote Mr. Jay a long letter, which I fear reached New York after he had set out on the circuit, informing him that I had concluded to advise a proclamation; and my reasons for it, which included some material facts not before communicated, I have not leisure to repeat. The proclamation has been signed by the President, and sent to Mr. Jefferson for his counter-signature; I expect it here on Tuesday, and have taken correspondent measures. I believe all is prudent and safe.

TO ———

PHILADELPHIA, Sept. 26, 1792.

MY DEAR SIR:

Some days since I was surprised with the following intelligence in a letter from Mr. King, whose name I disclose to you in confidence.

"*Burr* is industrious in his canvass, and his object is well understood by our Antis. Mr. Edwards is to

make interest for him in Connecticut, and Mr. Dallas, who is here, and quite in the circle of the Governor and the party, informs us that Mr. Burr will be supported as Vice-President in Pennsylvania. Nothing which has heretofore happened so decisively proves the inveteracy of the opposition. Should they succeed, much would be to be apprehended."

Though in my situation I deem it most proper to avoid interference in any matter relating to the elections for members of the government, yet I feel reasons of sufficient force to induce a departure from that rule in the present instance.

Mr. Burr's integrity as an individual is not unimpeached. As a public man, he is one of the worst sort—a friend to nothing but as it suits his interest and ambition. Determined to climb to the highest honors of the State, and as much higher as circumstances may permit, he cares nothing about the means of effecting his purpose. 'T is evident that he aims at putting himself at the head of what he calls the "popular party" as affording the best tools for an ambitious man to work with, secretly turning liberty into ridicule. He knows as well as most men how to make use of the name. In a word, if we have an embryo-Cæsar in the United States, 't is Burr.

TO GEN. C. C. PINCKNEY [1]

PHILADELPHIA, Oct. 10, 1792.

MY DEAR SIR:

I duly received your letter of the 6th September, and have sent an extract to Mr. Church for the ex-

[1] General Charles Cotesworth Pinckney, of South Carolina.

planation which is necessary. I feel myself truly obliged by your friendly allusion to my unpleasant situation, and for the consolation which you are so kind as to offer me. The esteem of discerning and virtuous men must always support a mind properly formed under the pressure of malevolence and envy. I will not pretend that I am insensible to the persecution which I experience; but it may be relied upon that I shall desert no post which I ought to endeavor to maintain, so long as my own reputation or the public good may render perseverance necessary or proper. When it is not requisite, either to the one or the other, my friends will excuse me if I recollect that I have a growing and hitherto too much neglected family. It is to be lamented that so strong a spirit of faction and innovation prevails at the present moment in a great part of the country. The thing is alarming enough to call for the attention of every friend to government. Let me not be thought to travel out of my sphere, if I observe that a particular attention to the election for the next Congress is dictated by the vigorous and general effort which is making by factious men to introduce everywhere, and in every department, persons unfriendly to the measures, if not the constitution, of the national government. Either Governor Clinton, or Mr. Burr, of New York, both decidedly of the description of persons I have mentioned, is to be run in this quarter as Vice-President, in opposition to Mr. Adams. The former has been invariably the enemy of national principles. The latter has no other principles than *to mount, at all events*, to the

full honors of the State, and to as much more as circumstances will permit—a man in private life not unblemished. It will be a real misfortune to the government if either of them should prevail. 'T is suspected by some that the plan is only to divide the votes of the Northern and the Middle States, to let in Mr. Jefferson by the votes of the South. I will not scruple to say to you, in confidence, that this also would be a serious misfortune to the government. That gentleman whom I once *very much esteemed*, but who does not permit me to retain that sentiment for him, is certainly a man of sublimated and paradoxical imagination, entertaining and propagating opinions inconsistent with dignified and orderly government. Mr. Adams, whatever objections may lie against some of his theoretic opinions, is a firm, honest, and independent politician. Some valuable characters are about to be lost to the House of Representatives of their own choice. I feared once that this would be the case with Mr. Smith,[1] of your State; but I believe his present intention is rather to continue to serve. I trust there can be no doubt of his success, and I wish means to be used to determine his acquiescence. He is truly an excellent member—a ready, clear speaker, of a sound analytic head, and the justest views. I know no man whose loss from the House would be more severely felt by the good cause. The delicacy of these observations from me will, of course, occur to you; I make them without reserve, confiding equally in your friendship and prudence. Accept the assurances of the cordial

[1] Hon. Wm. Smith, South Carolina.

esteem and regard with which I have the honor to remain.

TO JOHN STEELE [1]

PHILADELPHIA, Oct. 15, 1792.

MY DEAR SIR:

The letter which you did me the favor to write me, of the 19th of September, came to hand two days ago. The late symptoms of acquiescence in the duty on distilled spirits, which you announce in your quarter, are particularly satisfactory. If the people will but make trial of the thing, their good-will towards it will increase. This has hitherto happened everywhere, where the law has gone into operation. There certainly can be no tax more eligible or less burthensome. Though I impose on myself great circumspection on the subject of elections for the federal government, yet, in relation to the characters you mention, I feel myself more at liberty, and my entire confidence in you will not permit me to affect reserve. I take it for granted that in all the Northern and Middle States, the present President will have a unanimous vote. I trust it will be so in the South also. A want of unanimity would be a blot on our political hemisphere, and would wound the mind of that excellent character to whom the country is so much indebted. For Vice-President, Mr. Adams will have a nearly unanimous vote in the Eastern States. The same thing would happen in New York if the electors were to be chosen by the people; but as they will be chosen by the Legislature, and as a

[1] Member of Congress from North Carolina, 1790 to 1793.

majority of the existing Assembly are Clintonians, the electors will, I fear, be of the same complexion. In Jersey, Mr. Adams will have a unanimous vote, and, according to present appearances, in Pennsylvania likewise. The parties have had a trial of their strength here for representatives, and though the issue is not finally ascertained, there is a moral certainty, from the returns received, that the ticket supported by the federal interest will prevail by a large majority. The electors *nominated* by the same interest will all, or nearly all, favor Mr. Adams. I believe the weight of Delaware will be thrown into the same scale. And I think it probable there will be votes for Mr. Adams in Maryland. I presume none in Virginia or Georgia. Of North Carolina, you can best judge. In South Carolina he will have votes, but I am at a loss to judge of the proportion.

This statement will inform you that Mr. Adams is the man who will be supported in the Northern and Middle States, by the friends of the Government. They reason thus: "Mr. Adams, like other men, has his faults and foibles; some of the opinions he is supposed to entertain, we do not approve, but we believe him to be honest, firm, faithful, and independent—a sincere lover of his country—a real friend to genuine liberty, but combining his attachment to that with love of order and stable government. No man's private character can be fairer than his. No man has given stronger proofs than he of disinterested and intrepid patriotism. We will therefore support him as far preferable to any one who is likely to be opposed to him."

Who will be seriously opposed to him, I am yet at a loss to decide. One while, Governor Clinton appeared to be the man. Of late, there have been symptoms of Col. Burr's canvassing for it. Some say one or both of these will be played off as a diversion in favor of Mr. Jefferson. I do not scruple to say to you that my preference of Mr. Adams to either of these is decided. As to Mr. Clinton, he is a man of narrow and perverse politics, and as well under the former as under the present government, he has been steadily, since the termination of the war with Great Britain, opposed to national principles. My opinion of Mr. Burr is yet to form—but, according to the present state of it, he is a man whose only political principle is to *mount at all events*, to the highest legal honors of the nation, and as much further as circumstances will carry him. Imputations not favorable to his integrity as a man rest upon him, but I do not vouch for their authenticity.

There was a time when I should have balanced between Mr. Jefferson and Mr. Adams; but I now view the former as a man of sublimated and paradoxical imagination—cherishing notions incompatible with regular and firm government.

Thus have I opened myself to you with frankness; I doubt not I am perfectly safe in doing it.

You give me pain by telling me that you have declined serving in the House of Representatives after the third of March next, and that it is doubtful whether you will attend the next session. I anxiously hope that you will find it convenient to attend, and that you will change your resolution as to

not serving in a future House. The ensuing session will be an interesting one, and the next Congress will either anchor the government in safety or set it afloat.

My apprehension is excited when I see so many valuable members dropping off. Mr. Lawrence [1] and Mr. Benson [2] will not serve again. Mr. Barnwell [3] also declines. The House will, I fear, lose more of its talents than it can spare.

TO JOHN ADAMS

October, 1792.

I trust you are sufficiently convinced of my respect for you and attachment to you to render an apology for the liberty I am going to take, unnecessary. I learn with pain that you may not probably be here till late in the session. I fear that this will give some handle to your enemies to misrepresent, and though I am persuaded you are very indifferent personally to the event of a certain election, yet I hope you are not so as regards the cause of good government. The difference in that view is, in my conception, immense between the success of Mr.

[1] John Lawrence, an Englishman by birth and a soldier in the Revolution, was an eminent lawyer of New York, at this time a member of Congress, and afterwards U. S. District Judge and Senator from New York.

[2] Egbert Benson, at this time a member of Congress from New York, and again in 1813. Attorney-General of New York, 1780–1789, and from 1794 to 1801 a Judge of the Supreme Court of the State.

[3] Robert Barnwell, member of Congress from South Carolina from 1791 to 1793.

Clinton or yourself, and some sacrifices of feeling are to be made. But this is not the only relation in which I deem your early presence here desirable. Permit me to say it best suits the firmness and elevation of your character to meet all events, whether auspicious or otherwise, on the ground where station and duty call you. One would not give the ill-disposed the triumph of supposing that an anticipation of want of success has kept you from your post.

You observe, my dear sir, I speak without much *ménagement*. You will ascribe it to my confidence and esteem. It is not necessary in any view to multiply words. I forbear it; but allow me to add that it is the universal wish of your friends you should be as soon as possible at Philadelphia.[1]

TO JOHN JAY

MY DEAR SIR: PHILADELPHIA, Dec. 18, 1792.

Your favors of the 26th of November and 16th inst. have duly come to hand. I am ashamed that the former has remained so long unacknowledged, though I am persuaded my friends would readily excuse my delinquencies could they appreciate my situation. 'T is not the load of proper official business that alone engrosses me, though this would be enough to occupy any man. 'T is not the extra attention I am obliged to pay to the course of legislative manœuvres that alone adds to my burden and perplexity. 'T is the malicious intrigues to stab me

[1] Reprinted from the *History of the Republic*, v., 92.

in the dark, against which I am too often obliged to guard myself, that distract and harass me to a point which, rendering my situation scarcely tolerable, interferes with objects to which friendship and inclination would prompt me.

I have not, however, been unmindful of the subject of your letters. Mr. King will tell you the state the business was in. Nothing material has happened since. The representation will probably produce some effect, though not as great as ought to be expected. Some changes for the better, I trust, will take place.

The success of the Vice-President is as great a source of satisfaction as that of Mr. Clinton would have been of mortification and pain to me. Willingly, however, would I relinquish my share of the command to the Anti-federalists if I thought they were to be trusted. But I have so many proofs of the contrary, as to make me dread the experiment of their preponderance.[1]

TO RICHARD HARRISON [2]

PHILADELPHIA, Jan. 5, 1793.

DEAR SIR:

Le Roy has not yet appeared with the powers and receipts mentioned in your letter of the 31st

[1] Reprinted from *Life of Jay*, ii., 213.

[2] Richard Harrison was born in 1750. He was our Consul at Cadiz for five years, and this letter seems to have been written at the time of his return from his consulship and on the presentation of his accounts. In this year, 1793, he was appointed Auditor of the Treasury, a position which he held until his death, in 1841.

December. Every practicable facility will be given to the business when it comes forward. But I believe, according to the course of the Treasury, a certificate, not money, will be given for the balance. Your account is returned with directory remarks upon it. I am sorry you should have the trouble of so many different applications, but the course of public business requires it.

I am more sorry that we have been deprived of the pleasure of seeing you. Every friend I see from a place I love is a cordial to me, and I stand in need of something of that kind now and then.

The triumphs of vice are no new thing under the sun, and I fear, till the millennium comes, in spite of all our boasted light and purification, hypocrisy and treachery will continue to be the most successful commodities in the political market. It seems to be the destined lot of nations to mistake their foes for their friends, their flatterers for their faithful servants.

TO WILLIAM SHORT [1]

(Private.)

PHILADELPHIA, Feb. 5, 1793.

SIR:

The spirit of party has grown to maturity sooner in this country than perhaps was to have been counted upon. You will see a specimen of it in

[1] William Short, of Virginia, was Minister to the Hague and in charge of our financial negotiations in Holland, and was afterwards Minister to Spain.

the inclosed speech of Mr. Giles, a member from Virginia. The House of Representatives adopted the resolutions proposed by him, *nemine contradicente*. The object, with a majority, was to confound the attempt, by giving a free course to investigation.

I send you, also, a printed copy of a letter from me to the House of Representatives, of yesterday's date being the first part of an answer to those resolutions. The statements referred to in it could not yet be printed, but lest the thing should pass the Atlantic and be made an ill use of to the prejudice of our country, I send you the antidote, to be employed or not, as you may see occasion.

An investigation intended to prejudice me is begun with respect to the circumstances attending the last payment on account of the French debt, which, in its progress, may draw your conduct into question. I think, however, you need be under no anxiety for the result. Your hesitations, at a certain stage, were so natural, and your reasons so weighty for them, that they will give little handle against you, besides the coincidence in opinion here about the expediency of a suspension of payment. The popular tide in this country is strong in favor of the last revolution in France; and there are many who go, of course, with that tide, and endeavor always to turn it to account. For my own part, I content myself with praying most sincerely that it may issue in the real advantage and happiness of the nation.

TO RUFUS KING

PHILADELPHIA, April 2, 1793.

MY DEAR SIR:

When you are acquainted with all the facts, I think you will alter the opinion you appear to entertain. My application comes literally within your rule. The loan is necessary for the current expenditure, independent of any new advance to France, or of purchases of the debt. This has arisen from my having been under the necessity of remitting to Holland, for a payment in June of 1,000,000 guilders, as an instalment of the principal, and 470,000 guilders for interest of the Dutch debt.

Late advices rendering it problematical whether a loan could be obtained for the purpose of the instalment, it became necessary to make this remittance to avoid danger to the public credit.

Hence, without a loan from the bank, I ought to calculate upon a deficiency in the present quarter (remember we are in April) of 672,023 dollars and 26 cents, and in the next, of 325,447 dollars and 28 cents.

This is the result of as accurate a view of receipts and expenditures as can now be taken. You will anticipate that, by all the expenditures not falling *actually* within the periods to which they are applicable, the real deficiency would not be so great as the calculated; but you will, at the same time, perceive that the view given supposes a state of the Treasury which renders an auxiliary indispensable.

At the same time, I cannot but think that you apply your principle too rigorously. I ought not to

be forced *to divert for a length of time* funds appropriated for other purposes, *to the current* expenditure. To compel this would be, in substance to withhold the means necessary for the public service; for it would oblige the Treasury to employ an adventitious resource, which ought not be so employed, and *that too* at a time when it could be employed advantageously, according to its original and true destination. I therefore think, independent of the real exigency, the bank ought to make the loan.

The loans to government stand on very different considerations from those to individuals. Besides the chartered privileges, which are the grant of the government, the *vast deposits* constantly on hand, and which ordinarily exceed the loans from the bank, frequently very greatly, are an advantage which, generally speaking, bears no proportion to the advantages of the dealings between individuals and the bank. Consider, too, what has been the state of things for some time past, and the real *sacrifices* which have been made not to distress the institution.

If for such accommodations equivalent services are not to be rendered, they could not easily be defended.

Besides, from the necessity of having a considerable sum on hand in the Treasury, and the natural course of the business, the bank is pretty sure of having always on deposit a large part of what it lends to the government. This does not exist in any thing like the same degree, in the case of individuals.

You seem to calculate that the past advances will not be replaced. On the contrary, it is my inten-

tion, pursuant to stipulation, to repay as fast as the funds come in applicable to it; and in the last quarter of the year I hope to make a considerable progress in the reimbursement; till then, it will not be practicable.

I do not know whether Mr. Kane stated to you the nature of my proposal. It was that the payments should be made in four equal monthly instalments—the first on the first of June—and that each instalment should be reimbursed in six months. The real advance of the bank will be very temporary indeed before greater sums will come into its vaults from the duties. In the last quarter of the present and the first quarter of the ensuing year, very large receipts may be expected.

You are sure that while I seek to put myself in a proper posture, I shall not fail to have a due regard to the safety of the institution.

It is much to be wished that I could be enabled to make some purchases, though this will not be the case with the loan in question, unless a loan shall also have been obtained in Europe.

A meeting of the commissioners has lately been called by Mr. Jefferson, out of the course heretofore practised, in which I have been pressed to declare *whether I had or had not funds applicable to purchases.* I answered so as to be safe. But you readily perceive the design of this movement. There is no doubt in my mind that the next session will revive the attack with more system and earnestness—and it is surely not the interest of any body or any *thing* that a serious *handle* should be furnished.

On the whole, I am persuaded that the bank can do what I ask without real inconvenience to itself; and my situation is such that I shall be compelled to find an auxiliary.

All the cry here is for peace. How is it with you?

TO WASHINGTON

PHILADELPHIA, April 5, 1793.

SIR:

The ship *John Buckley* is just arrived here from Lisbon, which place she left on the 23d of February.

The Messrs. Walns, a respectable mercantile house here, have received a letter from Mr. John Buckley, a respectable merchant of Lisbon, after whom the ship is named, of which the following is an extract:

"By letters from France, by this day's post, we find that an embargo took place there the 2d instant on all English, Russian, and Dutch vessels, which is certainly the prelude of war." This letter is dated the 22d of February.

Messrs. Walns, in addition, inform ——, that on the 23d of February, the moment the ship was getting under way, Mr. Buckley came on board with a letter from Mr. Fenwick, of Bordeaux, informing him that war had been declared by France against England, Russia, and Holland. The foregoing particulars I have directly from the Walns.

The report in the city is that the war was declared on the 8th of February.

Combining this with the letter of Lord Grenville to

Mr. Chauvelin, requiring his departure, and the king's message to the House of Commons, founded upon it —there seems to be no room for doubt of the existence of war.

P. S.—I this instant learn that there are English papers in town, by way of St. Vincent, which mention that on the 8th of February the late Queen of France was also put to death, after a trial and condemnation.

TO WASHINGTON

PHILADELPHIA, April 8, 1793.

SIR:

The papers of to-day, which I take it for granted are forwarded to you, will inform you of the confirmation of the war between France, England, and Holland, and of such other leading particulars as are contained in the English papers brought by the packet.

The object of this letter is merely to apprise you that the whole current of *commercial intelligence*, which comes down to the 11th of February, indicates thus far an *unexceptionable* conduct on the part of the British Government towards the vessels of the United States.

The information is received here with very great satisfaction, as favorable to the continuance of peace, the desire of which may be said to be both universal and ardent.

P. S.—Lest the papers may not be regularly transmitted, I enclose the two of this morning.

TO JOHN JAY

PHILADELPHIA, April 9, 1793.

DEAR SIR:

When we last conversed together on the subject, we were both of opinion that the minister expected from France should be received.

Subsequent circumstances have perhaps induced an additional embarrassment on this point, and render it advisable to reconsider the opinion generally, and to raise this further question, Whether he ought to be received absolutely or with qualifications. The king has been decapitated. Out of this will arise a regent, acknowledged and supported by the powers of Europe almost universally, in capacity to act, and who may himself send an ambassador to the United States. Should we in such case receive both? If we receive one from the republic and refuse the other, shall we stand on ground perfectly neutral? If we receive a minister from the republic, shall we be afterward at liberty to say, We will not decide whether there is a government in France competent to demand from us the performance of the existing treaties? What the government of France shall be is the very point in dispute. Till that is decided, the applicability of the treaties is suspended. When that government is established, we shall consider whether such changes had been made as to render their continuance incompatible with the interest of the United States. If we shall not have concluded ourselves by any act, I am of opinion that we have at least a right to hold the thing suspended. Till the point in dispute is decided, I doubt whether we

could *bona fide* dispute the ultimate obligation of the treaties. Will the unqualified reception of a minister conclude us? If it will, ought we so to conclude ourselves? Ought we not rather to refuse receiving, or to receive with qualifications; declaring that we receive the person as the representative of the government, in fact, of the French nation, reserving to ourselves the right to consider the applicability of the treaties to the actual situation of the parties? These are questions which require our utmost wisdom. I would give a great deal for a personal discussion with you. Imprudent things have already been done, which render it proportionally important that every succeeding step should be well considered.[1]

TO JOHN JAY

PHILADELPHIA, April 9, 1793.

MY DEAR SIR:

I have already written you by this post. A further question occurs—Would not a proclamation prohibiting our citizens from taking commissions on either side be proper? Would it be well that it should include a declaration of neutrality? If you think the measure prudent, could you draught such a thing as you would deem proper? I wish much you could.[2]

[1] Reprinted from *Life of Jay*, i., 298.

[2] *Ibid.*, 300.

TO RUFUS KING

PHILADELPHIA, May 2, 1793.

The failures in England will be so seriously felt in this country as to involve a real crisis in our money concerns.

I anxiously wish you could be here to assist in the operations of the Bank of the United States. Never was there a time which required more the union of courage and prudence than the present and approaching juncture. You can imagine all that I could add on this subject. Is it possible for you to spend a month with us?

TO JEFFERSON [1]

TREASURY DEPARTMENT, May 3, 1793.

SIR:

I regret extremely that I did not receive your letter respecting Mr. Ternant's application till two o'clock yesterday, after a warrant had issued in his favor for the sum requested.

Agreeing entirely in opinion with you, that all applications from diplomatic characters, as well those relating to pecuniary matters as others, ought to be addressed to your department, I should have taken no step on the present occasion, had it not been put on the footing of a previous arrangement (as you will perceive by the copy of Mr. Ternant's note to me), and had I not myself carried along in my mind a

[1] This, and the other letters to Jefferson which follow, simply show the strained relations between Jefferson and Hamilton, and the widening of the breach which finally resulted in open enmity.

general impression that the spirit of what had passed would comprise the advance requested in the particular case.

For greater caution, however, I thought it advisable to mention the matter to the President, which was followed (if I remember right, upon my own suggestion) by the conversation which I had with you.

You will remember that though your recollection at the time of what had passed from you agreed with what had been the result of your subsequent examination, yet you expressed an opinion that in the special case (adhering as a general rule to the spirit of your late communication) it ought to be advisable to make the advance desired, as it would be well "*to part friends.*" And it was at my request, subsequent to this declaration, that you engaged to review your communications to Mr. Ternant.

Having told Mr. Ternant that the matter would be terminated the day succeeding his application—not having heard from you on that day—understanding it to be your opinion that, on the whole, it would be well to make the advance,—I waited on the President yesterday morning, stated what had passed between us, and obtained his consent for making the advance.

I am thus particular from a desire that you may see the ground upon which I have proceeded, as it would give me pain that you should consider what has been done as the infringement of a rule of official propriety. I assure you this was not my intention.

TO ———[1]

May, 1793.

You ask me if the newspapers of Philadelphia give a true picture of the conduct of its citizens on the occasion of the arrival of Mr. Genet, and whether the great body of them are really as indiscreet as those papers represent them.

It gives me pleasure to be able to answer you in the negative. I can assure you upon the best evidence that, comparatively speaking, but a small proportion of them have had agency in the business.

Though the papers, on the morning of the day of Mr. Genet's arrival, announced his approach, and at —— o'clock ——, three guns were fired from the frigate as a signal to those who were disposed to go to meet him at Gray's ferry, as had been previously concerted and notified in the papers, and though we are *told* by some of the printers that all the outlets from the city were crowded with persons going out to meet Mr. Genet, the fact is that a very inconsiderable number indeed went out. It is seldom easy to speak with absolute certainty in such cases, but from all I could observe or have been able to learn, I believe the number would be stated high at a hundred persons.

In the evening of the same day, according to notice in an evening paper which came out earlier than usual for the purpose, a meeting was convened at the State House yard under the direction of the same

[1] This letter is undated, but it must have been written at this time, as Genet reached Philadelphia May 16, 1793, and the letter relates to that event.

persons who had projected the going out to Gray's. This meeting was also inconsiderable. From forty to one hundred persons give you the extremes of the numbers present, as reported by those who were at the meeting or in a situation to observe it.

Here a committee was appointed to prepare an address to Mr. Genet; and another meeting of the citizens was advertised for the ensuing evening at the same place, the object of which, it seems, was to consider and approve the address.

This last meeting is stated differently from three hundred to one thousand. An accurate observer, who was a by-stander and paid particular attention to the matter, assures me that there were between five and six hundred assembled. I rely upon this as about the truth.

The persons who were met approved the address which had been prepared, and, as you have seen, nominated a committee to present it, whom they accompanied to Mr. Genet's lodging at the City Tavern.

On their way to the City Tavern their number was, as you will imagine, considerably increased. A crowd will always draw a crowd, whatever be the purpose. Curiosity will supply the place of attachment to or interest in the object. What number may have been assembled in the vicinity of the City Tavern, it is impossible to say. The evening being pretty far advanced, was alone an obstacle to judging.

But the true test was the meeting in the State House yard. 'T is there we are to look for the real

partisans of the measure. And, according to this standard, it may be pronounced that not a tenth part of the city participated in it.

You ask who were its promoters. I answer, that with very few *exceptions* they were the same men who have been uniformly the enemies and the disturbers of the government of the United States. It will not be surprising if we see ere long a curious *combination* growing up to control its measures, with regard to foreign politics, at the expense of the peace of the country—perhaps at a still greater expense.

We too have our disorganizers. But I trust there is enough of virtue and good sense in the people of America to baffle every attempt against their prosperity, though masked under the specious garb of an extraordinary zeal for liberty. They practically, I doubt not, adopt this sacred maxim, that without government there is no true liberty.

I agree with you in the reflections you make on the tendency of public demonstrations of attachment to the cause of France. 'T is certainly not wise to expose ourselves to the jealousy and resentment of the rest of the world, by a fruitless display of zeal for that cause. It may do us much harm, and it can do France no good (unless indeed we are to embark in the war with her, which nobody is so hardy as to avow, though some secretly machinate it). It cannot be without danger and inconvenience to our interests to impress on the nations of Europe an idea that we are actuated by the *same spirit* which has for some time past fatally misguided the measures of those who conduct the affairs of France,

and sullied a cause once glorious, and that might have been triumphant. The cause of France is compared with that of America during its late revolution. Would to Heaven that the comparison were just. Would to Heaven we could discern in the mirror of French affairs the same humanity, the same decorum, the same gravity, the same order, the same dignity, the same solemnity, which distinguished the cause of the American Revolution. Clouds and darkness would not then rest upon the issue as they now do. I own I do not like the comparison. When I contemplate the horrid and systematic massacres of the 2d and 3d of September; when I observe that a Marat and a Robespierre, the notorious prompters of those bloody scenes, sit triumphantly in the convention and take a conspicuous part in its measures—that an attempt to bring the assassins to justice has been obliged to be abandoned; when I see an unfortunate prince, whose reign was a continued demonstration of the goodness and benevolence of his heart, of his attachment to the people of whom he was the monarch, who, though educated in the lap of despotism, had given repeated proofs that he was not the enemy of liberty, brought precipitately and ignominiously to the block without any substantial proof of guilt, as yet disclosed—without even an authentic exhibition of motives, in decent regard to the opinions of mankind; when I find the doctrines of atheism openly advanced in the convention, and heard with loud applause; when I see the sword of fanaticism extended to force a political creed upon citizens who

were invited to submit to the arms of France as the harbingers of liberty; when I behold the hand of rapacity outstretched to prostrate and ravish the monuments of religious worship, erected by those citizens and their ancestors; when I perceive passion, tumult, and violence usurping those seats, where reason and cool deliberation ought to preside, I acknowledge that I am glad to believe there is no real resemblance between what was the cause of America and what is the cause of France—that the difference is no less great than that between liberty and licentiousness. I regret whatever has a tendency to compound them, and I feel anxious, as an American, that the ebullitions of inconsiderate men among us may not tend to involve our reputation in the issue.

TO RUFUS KING

June 15, 1793.

DEAR SIR:

The ideas expressed in your letter of the 14th correspond with my view of the subject in general. I did not perceive that any process could be devised to detain the privateer, and concluded that the issue would be to leave her in military custody. Indeed, I believe this was rather the expectation with all, though it was thought advisable to make the experiment of a reference to the civil tribunal.

With regard to the *Catharine*, I also entertain the doubt you appear to have. In the case of the *Grange*, the surrender was brought about by a de-

mand of Mr. Genet and his interposition. But it was in contemplation of employing the military in case of refusal.

Yet, since that time, a libel has been filed in the District Court in the case of another vessel alleged to have been captured within the limits of our jurisdiction. And both Mr. Lewis and Mr. Rawle, Attorney of the District, hold that the District or Admiralty Court will take cognizance of this question. They argue that it would be a great *chasm* in the law that there should not be some competent judicial authority to do justice between parties in the case of an illegal seizure within our jurisdiction. That the Court of Admiralty has naturally cognizance of *tortious takings* on the high seas, and as she gives relief *in rem*, may cause a re-delivery. That though, as a general principle, a court of a *neutral nation* will not examine the question of prize or not prize between belligerent powers, yet this principle must except the case of the infraction of the jurisdiction of the neutral power itself. Quoad this fact, its courts will interpose and give relief.

This is their reasoning, and it has much force. The desire of the Executive is to have the point ascertained, and if possible to put the affair in this train. There may arise nice difficulties about the *fact*, and nice points about the extent of jurisdiction at sea, which the courts had best settle.

The contest in form must, as you say, be between the *owners* and the captors. For this purpose Mr. *Hammond* is to cause the proper instructions to be given.

There is a letter from *me* to *Harrison*.[1] If Troup has not opened it, let him do it.

TO GEN. OTHO H. WILLIAMS

(Private and Confidential.)

PHILADELPHIA, June 21, 1793.

MY DEAR SIR:

I learnt with real pleasure your return from the West Indies in improved health. Be assured that I interest myself with friendship in your welfare.

The Collector of Annapolis has announced his intention to resign by the first of next month. Do you know a character there fit and probably willing to serve? There is a salary of 200 dollars a year, besides the percentage and fees. The whole, however, is moderate enough.

If any inquiry is made, it must be so as to avoid all possible commitment. For it is the President's practice to seek information through different channels and to decide according to the result of the whole.[2]

TO WASHINGTON

PHILADELPHIA, June 21, 1793.

SIR:

Considerations relative to both the public interest and to my own delicacy have brought me, after mature reflection, to a resolution to resign the office

[1] Richard Harrison mentioned above.

[2] Now first printed from the original in the possession of Mr. Otho H. Williams, of Baltimore.

I hold towards the close of the ensuing session of Congress.

I postpone the final act to that period, because some propositions remain to be submitted by me to Congress which are necessary to the full development of my original plan, and, as I suppose, of some consequence to my reputation, and because, in the second place, I am desirous of giving an opportunity, while I shall still be in office, to the revival and more deliberate prosecution of the inquiry into my conduct which was instituted during the last session.

I think it proper to communicate my determination thus early, among other reasons, because it will afford full time to investigate and weigh all the considerations which ought to guide the appointment of my successor.

TO ONE OF THE CREDITORS OF COL. DUER [1]

August, 1793.

DEAR SIR:

Poor *Duer* has now had a long and severe confinement, such as would be adequate punishment for no trifling crime. I am well aware of all the blame to which he is liable and do not mean to be his apologist, though I believe he has been as much the dupe of his own imagination as others have been the victims of his projects. But what then? He is a man —he is a man with whom we have both been in

[1] Colonel Duer remained in prison for five years (*Reminiscences of James A. Hamilton*, p. 5). I give this letter as dated in the edition of 1850, where it is misplaced, but its language would suggest a later period, somewhat near the end of Duer's confinement in 1797.

habits of friendly intimacy. He is a man who, with a great deal of good zeal, has in critical times rendered valuable services to the country. He is a husband who has a most worthy and amiable wife perishing with chagrin at his situation; your relation by blood, mine by marriage. He is a father who has a number of fine children destitute of the means of education and support, every way in need of his future exertions.

These are titled to sympathy, which I shall be mistaken if you do not feel. You are his creditor. Your example may influence others. He wants permission, through a letter of license, to breathe the air for *five* years. Your signature to the inclosed draft of one will give me much pleasure.

TO RUFUS KING [1]

DEAR SIR: PHILADELPHIA, Aug. 13, 1793.

The post of to-day brought me your letter of the 10th, but I was too much engaged to reply to it by return of post.

The facts with regard to Mr. Genet's threat, to appeal from the President to the people, stand thus:

On Saturday, the 6th of July last, the warden of this port reported to Governor Mifflin that the brig Little

[1] Chief-Justice Jay and Mr. King had declared publicly that Genet had threatened to appeal to the people against the President, which produced profound indignation, and turned the current of public feeling against Genet and his partisans. *Freeman's Gazette* was frantic in its abuse of the informers, as it called them, and Genet denied the charge. Finally Jay and King made a decisive counter-statement, and this letter was written probably to aid in its preparation.

Sarah, since called the Petit Democrat (an English merchant vessel, mounting from two to four guns, taken off our coast by the French frigate the Ambuscade, and brought into this port), had very materially altered her military equipments, having then fourteen iron cannon and six swivels mounted, and it being understood that her crew was to consist of one hundred and twenty men.

Governor Mifflin, in consequence of this information, sent Mr. Dallas to Mr. Genet to endeavor to prevail upon him to enter into an arrangement for detaining the vessel in port, without the necessity of employing for that purpose military force.

Mr. Dallas reported to Governor Mifflin that Mr. Genet had absolutely refused to do what had been requested of him, that he had been very angry and intemperate, that he had complained of ill-treatment from the government, and had declared that "he would appeal from the President to the people"; mentioned his expectation of the arrival of three ships of the line, observing that he would know how to do justice to his country, or, at least, he had a frigate at his command, and could easily withdraw himself from this; *said that he would not advise an attempt to take possession of the vessel, as it would be resisted.*

The refusal was so peremptory that Governor Mifflin, in consequence of it, ordered out 120 men for the purpose of taking possession of the vessel.

This conversation between Genet and Dallas was *in toto* repeated by General Mifflin to General Knox the day following, and the day after that the governor confirmed to me the declaration with regard to appealing to the people, owned that something like

the threat to do justice to his country by means of the ships of the line was thrown out by Mr. Genet, but showed an unwillingness to be explicit on this point, objecting to a more particular disclosure, that it would tend to bring Mr. Dallas into a scrape.

Mr. Jefferson, on Sunday, went to Mr. Genet, to endeavor to prevail upon him to detain the Petit Democrat until the President could return and decide upon the case, but, as Mr. Jefferson afterwards communicated, he absolutely refused to give a promise of the kind, saying only that she would not probably be ready to depart before the succeeding Wednesday, the day of the President's expected return. This, however, Mr. Jefferson construed into an intimation that she would remain. Mr. Jefferson also informed that Mr. Genet had been very unreasonable and intemperate in his conversation (though he did not descend to particulars), *and that Dallas had likewise told him (Mr. Jefferson) that Genet had declared he would appeal from the President to the people.*

The Petit Democrat, instead of remaining, as Mr. Jefferson had concluded, fell down to Chester previous to the Wednesday referred to, where she was when the President returned. A letter was written to Mr. Genet, by order of the President, informing him that the case of the vessel, among others, was under consideration, and desiring that she might be detained until he should come to a decision about her, but this requisition was disregarded. She departed in defiance of it.

I give this detail that you may have the whole subject before you, but I cannot authorize you to make use of it all. The circumstance of the letter

may be omitted. It may be said generally that a requisition was made of Mr. Genet, by order of the President, for the detention of the vessel. All that part, however, which is scored or underlined, may be freely made up. This part is so circumstanced as to take away all scruples of personal or political delicacy. 'T is not so with the rest. It can therefore only be confidentially disclosed to persons whose discretion may be relied on, and whose knowledge of it may be useful.

It is true (as you have heard) that things, if possible still more insulting, have since been done by Mr. Genet; but of this at present no use can be made, no more than of some antecedent transactions nearly, if not quite, as exceptional. The mass would confound Mr. Genet and his associates. Perhaps it may not be long before a promulgation will take place.

I am of opinion with you that the charge ought to be insisted upon.

P. S.—The case does not require the naming General Knox or myself, and it will therefore not be done. It is to be observed that the equipments of the *Petit Democrat* are, in the strictest sense, an original fitting out. She was before a merchant vessel; here she was converted into a vessel commissioned for war, of considerable force.

TO RUFUS KING

August, 1793.

MY DEAR SIR:

It is not yet finally determined that there shall be a publication, and there has been some difference of

opinion on the point. But it seems to me the publication of the letters renders it indispensable that the whole should be told. Yet, when it appears, it will probably include only what is regularly official, so that the present question may be pursued independently.

Perhaps you will not think it necessary at first to say to whom Dallas reported the conversation. Yet, if you deem it essential, it may be done, and should it be finally necessary, which is not at all probable, General Knox and myself will come forward as witnesses.

TO MRS. GENERAL GREENE

PHILADELPHIA, Sept. 3, 1793.

It is not an uncommon thing for you women to bring us poor men into scrapes. It seems you have brought me into one. You will wonder how. Hear the tale.

Shortly after I came into office, Wadsworth informed me that Baron Glaubeck was indebted to General Greene (to whom he had behaved in a very exceptionable manner), and that it was intended to endeavor to purchase of Glaubeck some pay which had been just granted to him by Congress, upon the plan of advancing to him a certain sum of money to satisfy his immediate necessities, and the residue that was due to him to be applied towards the indemnification of the General's estate for what Glaubeck owed to it. I afterwards understood that the execution of this plan was committed to Flint or

Duer, or one or both of them, and that a purchase of the claim was, in fact, made—not, indeed, to Glaubeck, but of some person to whom he had parted with it for some trifling consideration—the object being throughout to benefit you by way of indemnification as above mentioned.

It likewise would appear from the Treasury records that you have in fact received the whole benefit of the purchase. The conversations we had together when you were last in Philadelphia assure me at least that the certificate for four fifths of his claim accrued immediately to your use.

Francis, late a clerk in my department (partly from resentment at a disappointment he has met with at the Treasury, and partly, I believe, from it having been made *worth his while* by some political enemies of mine), endeavors to have it believed that this transaction was a speculation in which I was engaged, and in proof of it, shows a draft of a power of attorney, corrected by some interlineations in my handwriting, as he asserts.

I do not recollect this part of the business, though I think it very possible that such a correction, in such a draft, may have been made by me.

For Duer or Flint, it seems, employed Francis to make the purchase, and it is not unlikely that a draft of a power for the purpose may have been brought to me, to know from me whether it would answer the purpose of the Treasury as a competent instrument, and that I (believing the design to be such as I have represented—one not only unexceptionable, but laudable—one in which my friendship

for you would naturally take part) may have taken up my pen and made such corrections as the draft might appear to stand in need of.

I give you this detail to show you how I may have been implicated.

What I wish of you is that you will have the goodness to state in writing what you know of the affair, ascertaining that the purchase was for your benefit and the cause of it, and that you will take the trouble to make affidavit to the statement, and forward it to me.

As it is an affair of delicacy, I will thank you to request some gentleman of the law to give form and precision to your narrative.

You perceive that it is not in one way only that I am the object of unprincipled persecution; but I console myself with these lines of the poet—

> But optics sharp it needs, I ween,
> To see what is not to be seen;

and with this belief, that in spite of calumny the friends I love and esteem will continue to love and esteem me.

TO JEREMIAH WADSWORTH

PHILADELPHIA, Sept. 3, 1793.

MY DEAR WADSWORTH:

Shortly after I came into office I remember your having told me that Glaubeck (whom you represented as a worthless and ungrateful fellow) was indebted to General Green's estate, I think for money lent him, and that it was your intention to endeavor

to effect a purchase of his public claim, and allow him some part of it for his immediate necessities, letting the residue be an indemnification [*original illegible*] estate; or, in other words, go to the [*original illegible*] that he would [*original illegible*] something [*original illegible*] you left the city; that you had left the business in charge with Flint.

The purchase of the claim was afterwards made through a second hand, and it appears in *fact* that Mrs. Greene has had the benefit of it.

Francis, lately a clerk in my department, prompted partly by resentment and partly, I believe, by some political enemies, gives out that I assisted in this affair as a *speculation*, and, to prove it, shows the draft of a power for assigning the claim, with some corrections, which are said to be in my handwriting.

Whether this be so or not I really do not now recollect, but I think it very possible that, having understood the matter in the light I have stated from you, and viewing the transaction [*original illegible*] precision the course of the transaction as it stands in your recollection, particularly what passed between you and myself in the first instance. If not inconvenient to you, I should even be glad that you would attest to it.

TO MISS ANGELICA HAMILTON

September 21, 1793.

I was very glad to learn, my dear daughter, that you were going to begin the study of the French language. We hope you will in every respect

behave in such a manner as will secure to you the good-will and regard of all those with whom you are. If you happen to displease any of them, be always ready to make a frank apology. But the best way is to act with so much politeness, good manners, and circumspection as never to have occasion to make any apology. Your mother joins in best love to you. Adieu, my very dear daughter.[1]

TO ———

ALBANY, October 1, 1793.

Contemptible as you are, what answer could I give to your last letter? The enclosed is a copy of what shortly will appear in one of the gazettes of the City of New York:

"One Andrew G. Francis, late clerk in the Treasury Department, has been endeavoring to have it believed that he is possessed of some facts of a nature to criminate the official conduct of the Secretary of the Treasury, an idea to which, for obvious reasons, an extensive circulation has been given by a certain description of persons.

"The public may be assured that the said Francis has been regularly and repeatedly called upon to declare the grounds of his suggestion, that he has repeatedly evaded the inquiry, that he possesses no facts of the nature pretended, and that he is a despicable calumniator."[2]

[1] Reprinted from *Reminiscences of J. A. Hamilton*, p. 4.

[2] This letter is reprinted from the *History of the Republic*, vol. v., p. 424. At the previous session Giles and Madison had made this attack

TO COLONEL OLNEY [1]

DEAR SIR: PHILADELPHIA, Nov. 26, 1793.

Some embarrassment has arisen on the subject of a fit person for District Attorney of Rhode Island. Mr. Howell [2] has been strongly recommended on the one hand, and positively objected to on another, and Mr. —— has been proposed in opposition. Your opinion does not appear on either side.

The President is desirous of further information, and I have undertaken to procure it for him. In addressing myself to you on the point, I proceed on an assurance of your judgment and candor. I request your ideas of the candidates fully and freely, promising that it shall not in any shape compromit you. Be so good as to state not only the qualifications of each, *but the collateral circumstances affecting the public service*, which will be likely to attend the appointment of either.

on Hamilton, who had replied to them, and who then, on December 16, 1792, asked for another inquiry. Before this his enemies attempted to arouse feeling against him by procuring one Francis, a dismissed clerk, to declare that Hamilton had speculated in soldiers' certificates, and they are said even to have sent a lawyer to Philadelphia to collect evidence. Hamilton thereupon published the card quoted above, which dashed the whole slander to pieces. It was in this connection that this letter was written, but the whole matter is so blindly stated in the *History of the Republic* that it is impossible to tell whether the letter was addressed to the lawyer just referred to, to some anonymous assailant, or to some one of the Secretary's open enemies.

[1] Colonel Jeremiah Olney, of Rhode Island, a soldier of the Revolution and Collector of Customs at Providence.

[2] David Howell, of Rhode Island, Professor of Law in Brown University. He had been delegate to Congress, 1782–1785, and Attorney-General and Judge of the Supreme Court of Rhode Island. He was appointed District Attorney, and from 1812 till his death, in 1824, was U. S. District Judge.

It is regretted that the affair has assumed too much a party complexion. This suggests an inquiry whether there be not some third character competent, eligible, and who would not be liable to a similar difficulty. The more speedy your answer, the more it will oblige.

TO THE UNITED STATES SENATE

TREASURY DEPARTMENT, Feb. 22, 1794.

SIR:

I have received a late order of the Senate on the subject of a petition of Arthur Hughes. Diligent search has been made for such a petition, and it has not been found. Neither have I now a distinct recollection of ever having seen it. Whether, therefore, it may not have originally failed in the transmission to me, or may have become mislaid by a temporary displacement of the papers of my immediate office, occasioned by a fire which consumed a part of the building in the use of the Treasury, or by some of those accidents which in an extensive scene of business will sometimes attend papers, especially those of inferior importance, is equally open to conviction. There is no record in the office of its having been received, nor do any of my clerks remember to have seen it. A search in the Auditor's office has brought up the enclosed paper, which it is presumed relates to the object of the petition; but this paper, it will appear from the memorandum accompanying it, was placed in that office prior to the reference of the petition.

The Auditor of the Treasury is of opinion, though his recollection is suppositive, that the claim had relation to the services of John Hughes as forage master. Two objections opposed its admission: (1) the not being presented in time; (2) the name of John Hughes, in the capacity in which he claimed, not appearing upon any return in the Treasury.

If these be the circumstances, I should be of opinion that it would not be advisable by a special legislative interposition to except the case out of the operation of the acts of limitation.

The second order of the Senate on the subject of this petition leads to the following reflections:

Does this hitherto unusual proceeding (in a case of no public and no peculiar private importance) imply a supposition that there has been undue delay or negligence on the part of the Secretary of the Treasury?

If it does, the supposition is unmerited; not merely from the circumstances of the paper, which have been stated, but from the known situation of the officer. The occupations necessarily and permanently incident to the office are at least sufficient fully to occupy the time and faculties of one man. The burden is seriously increased by the numerous private cases, remnants of the late war, which every session are objects of particular reference by the two Houses of Congress. These accumulated occupations again have been interrupted in their due course by unexpected, desultory, and distressing calls for lengthy and complicated statements, sometimes with a view to general information, sometimes for the

explanation of points which certain leading facts, witnessed by the provisions of the laws and by information previously communicated might have explained without those statements, or which were of a nature that did not seem to have demanded a laborious, critical, and suspicious investigation, unless the officer was understood to have forfeited his title to a reasonable and common degree of confidence. Added to these things, it is known that the affairs of the country in its external relations have for some time past been so circumstanced as unavoidably to have thrown additional avocations on all the branches of the Executive Department, and that a late peculiar calamity in the city of Philadelphia has had consequences that cannot have failed to derange more or less the course of public business.

In such a situation, was it not the duty of the officer to postpone matters of mere individual concern to topics of public and general concern, to the preservation of the essential order of the department committed to his care? Or, is it extraordinary that in relation to cases of the first description there should have been a considerable degree of procrastination? Might not an officer who is conscious that public observation and opinion, whatever deficiencies they may impute to him, will not rank among them want of attention and industry, have hoped to escape censure, expressed or implied, on that score?

I will only add that the consciousness of devoting myself to the public service to the utmost extent of my faculties and to the injury of my health, is a

tranquillizing consolation of which I cannot be deprived by any supposition to the contrary.

With perfect respect, etc. [1]

TO WASHINGTON

March 8, 1794.

The present situation of the United States is undoubtedly critical, and demands measures vigorous, though prudent. We ought to be in a respectable military posture, because war may come upon us, whether we choose it or not; and because, to be in a condition to defend ourselves, and annoy any who may attack us, will be the best method of securing our peace. If it is known that our principal maritime points are out of the reach of any but formal serious operations, and that the government has an efficient active force in its disposal for defence or offence on an emergency, there will be much less temptation to attack us, and much more hesitation to provoke us.

It seems then advisable—

1. To fortify the principal ports in the several States (say one in each State), so as to be able to resist a merely maritime attack, or any thing but a regular siege.

2. To raise 20,000 auxiliary troops, upon a plan something like the following, viz.:

To be divided into ten regiments.

[1] Reprinted from *American State Papers*, "Claims," p. 77. This letter has also been reprinted in Adams's *Life of Gallatin*, p. 116. It is a very interesting and somewhat amusing document, and it may be doubted if any other Secretary of the Treasury ever dared to lecture the Senate in this way.

Each regiment to consist of two battalions, and of the following officers and men:

1 colonel, 2 majors, 10 captains, 20 lieutenants, 2 lieutenants and adjutants, 2 sergeant-majors, 40 sergeants, 4 musicians, and 1,000 rank and file.

These troops to be engaged upon the following terms:

To be enlisted for two years; but upon condition, that if a war should break out with any European power, they shall be obliged to serve four years from the commencement of such war, upon the same terms as the troops of the establishment.

To receive as a bounty, clothes with 12 dollars per man.

To be under an obligation to meet forty days in the year, and thirty of these days to encamp. When assembled, to be paid, officers and men, as the troops of the establishment, and to have the same subsistence and rations. To be furnished with arms and accoutrements by the United States, to be surrendered at the expiration of their term of service.

The officers in time of war to rank and rise with the officers of the military establishment. The arrangement to cease, *ipso facto*, at the expiration of a certain term (about two years).

The expense of these operations would be,

For the fortifications,	$150,000
For the auxiliary troops, per annum	350,000
	$500,000

In addition to this, the Legislature ought to vest the President of the United States with the power

to lay an embargo, partial or general, and to arrest the exportation of commodities, partially or generally.

It may also deserve consideration whether the Executive ought not to take measures to form some concert of the neutral powers for common defence.

Mr. Hamilton presents his respects to the President—submits to him some reveries which have occupied his imagination. It may be interesting for the President to consider whether some such plan is not demanded by the conjunction of affairs; and if so, whether there ought not to be some Executive impulse. Many persons look to the President for the suggestion of measures corresponding with the exigency of affairs. As far as this idea may be founded, many important and delicate ideas are involved in the consideration.

The pains taken to preserve peace, include a proportional responsibility that equal pains be taken to be prepared for war.

TO WASHINGTON

PHILADELPHIA, May 27, 1794.

SIR:

I some time since communicated my intention to withdraw from the office I hold, towards the close of the present session.

This I should now put in execution, but for the events which have lately accumulated, of a nature to render the prospects of the continuance of our peace in a considerable degree precarious. I do not perceive that I could voluntarily quit my post at

such a juncture consistently with considerations either of duty or character; and therefore I find myself reluctantly obliged to defer the offer of my resignation.

But if any circumstances should have taken place in consequence of the intimation of an intention to resign, or should otherwise exist, which serve to render my continuance in office in any degree inconvenient or ineligible, I beg leave to assure you, sir, I should yield to them with all the readiness naturally inspired by an impatient desire to relinquish a situation opposed by the strongest personal and family relations, and in which even a momentary stay could only be produced by a sense of duty or reputation.

TO JAY

PHILADELPHIA, June 4, 1794.

MY DEAR SIR:

The session of Congress is about to close better than I expected. All mischievous measures have been prevented, and several good ones have been established. Among these, additional provisions of revenue and some of force, are not the least important.

But as more immediately connected with the objects of your mission, you will learn with satisfaction, that the bill which had passed the Senate before you left this, for punishing and preventing practices contrary to neutrality, has become a law with only one material alteration, the rejection of the clause which forbids the selling of prizes. I now consider the Executive and the Judiciary, as armed with ade-

quate means for repressing the fitting out of privateers, the taking of commissions, or enlisting in foreign service, the unauthorized undertaking of military expeditions, etc.

At Charleston some considerable irregularities have lately happened. But means have been taken, and are in train, which will no doubt arrest their progress, and correct the evil.

I believe it would be useful for you to collect and communicate exact information with regard to the usage of Europe as to permitting the sale of prizes in neutral countries. If this should be clearly against the toleration of the practice, the Executive might still, perhaps, disembarrass itself.

Men's minds have gotten over the irritation by which they were some time since possessed, and if Great Britain is disposed to justice, peace, and conciliation, the two countries may still arrive at a better understanding than has for some time subsisted between them. Is there not a crisis which she ought not to suffer to pass, without laying a solid foundation for future harmony? I think there is.

Adieu, my dear sir: not knowing how far any press of business on the Department of State might delay its communications, I thought a few hasty lines would not be unacceptable.

TO WASHINGTON

TREASURY DEPARTMENT, July 13, 1794.

I have considered the two subjects upon which you desire my opinion, as maturely as my situation has permitted.

With regard to the proceedings in Kentucky, I perceive nothing that can, with propriety or utility, be done, unless the attorney-general, on full and careful examination, should be of opinion that they furnish indictable matter, in which case I should think it very material that prosecutions against the ostensible and leading characters should be instituted.

With regard to the affair in Georgia, the following course presents itself as eligible:

1. To urge the Governor of Georgia to employ, efficaciously, all the means in his power (that of military coercion, if necessary, excepted) to prevent the establishment supposed to be meditated, referring him to the late act of Congress, and informing him that the expense will be borne by the United States. The commanding officer of the troops of the United States to be directed to co-operate.

2. To apprise the Creek nation of the information which has been received, and to assure them that the United States will co-operate with them to prevent the intrusion in the first instance, and afterwards to dispossess the intruders. It may, perhaps, be made a consideration for urging them to run the line of the last treaty.

3. To mention the matter informally to the Spanish commissioners, expressing the disapprobation of the government, and its intention to exert all the measures in its power to frustrate the enterprise.

TO RUFUS KING

PHILADELPHIA, Sept. 17, 1794.

When you recollect that I have two departments on my shoulders, and when I tell you that I have been out of health in the bargain, you will perhaps admit an excuse for my not answering sooner your letter some time since received.

Mr. Jay has given nothing conclusive. His letters to the 26th of June barely gave the idea that appearances were not unfavorable. The last letter, I forget the date, but it came by the last arrival at New York, refers to letters which were not received, but which are supposed to have been confided to the Portuguese Minister. This letter is couched in the same cautious terms, considers the scale as capable of turning either way, and advises not to relax in military preparation. The ministry, however, have certainly continued to countenance shipments to this country, and very large ones were making. It is a strange, mysterious business. The change in administration had made some pause in the negotiation.

Nothing from the Western country authorizes an expectation of a pacific termination of that business. All the militia are going forward as fast as they can be got forward. Virginia, all below the mountains, is *zealous;* beyond, neutral in conduct and divided in affection. Jersey is also zealous; so are the eastern shore of Maryland and the town of Baltimore. Thence to Frederictown a pretty good temper prevails; beyond that a very insurgent spirit and some insurrection. In Philadelphia an excellent and

productive zeal, embracing all parties, has been kindled. A good spirit will generally pervade the old counties. But there is much bad leaven in the new counties this side of as well as beyond the mountains —Cumberland, Franklin, Mifflin, and even Northumberland.

Governor Lee is at the head of the Virginia militia, and will command if the President does not go out; he is all zeal. Governor Howell, with equal zeal, was to march from Trenton to-day with the van of the Jersey militia, consisting of 500 horse. Mifflin, who at first showed some untoward symptoms, appears now to be exerting himself in earnest and with great effect, and goes at the head of his militia.

The President will be governed by circumstances. If the thing puts on an appearance of magnitude, he goes; if not, he stays. There is a *pro* and a *con* in the case. If *permitted*, I shall at any rate go.

TO RUFUS KING

September 22, 1794.

I thank you, my dear sir, for your letter of the ——. A few days previously I wrote you pretty fully. I hope my letter got to hand.

The inclosed paper gives you the substance of our European intelligence under the Philadelphia head.

The returns from the western counties of this State are just come to hand. They show a valuable division, ranging on the side of the laws the most influential men, and a respectable body of others— but leaving a great number still uncomplying and

violent, so as to afford no appearance of submission to the laws without the application of force. It will give you pleasure to learn that there is every prospect of our being able to apply this effectually, and of the issue being favorable to the authority of the laws. It will occasion a large bill of costs, but what is that compared with the object? Adieu.

TO GEORGE MATTHEWS, GOVERNOR OF GEORGIA

WAR DEPARTMENT, Sept. 25, 1794.

SIR:

In the absence of the Secretary of War, I have the honor to acknowledge the receipt of your letters to his department of the 5th, 19th, and 30th of August, and to reply to such parts as are the most pressing, referring the others to the return of that officer.

Among the posts which have been established, that of Doctor's Town creates a question, in consequence of Lieutenant Colonel Gaither's information that it is within the Indian boundary.

This is a matter which ought to be unequivocally ascertained, and if found to be within the Indian line, or if it be even doubtful whether that be the case, the post must be immediately removed. It is deemed essential that no encroachment should take place. And your Excellency is relied upon for a strict and scrupulous adherence to this principle.

Under the circumstances which led to it, the President has thought proper to authorize the adoption by the United States of the new troop ordered by you into service, from the time of its

commencement, and to continue until the first of November ensuing, when it is to be disbanded.

And you are at liberty, if the state of things shall render it, in your judgment essential, to substitute at that time a company of infantry for the same purpose. Corps of horse, upon the terms on which that in question is engaged, are expensive in the extreme, and in a much greater proportion, compared with infantry, than any supposable superiority of usefulness can justify. Indeed, it would require a treasury much better supplied than that of the United States to support the expense of a multiplication or extension of such corps. Consequently, that multiplication or extension would tend to defeat its own object, for our instruments of defence, to be durable, must be relative to our means of supporting them. And when we find, as in the instance of the insurrection now existing in the western parts of Pennsylvania, that those for whose immediate benefit the objects of military expenditure occur are among the first to resist, even to violence, the necessary means of defraying them, it is easy to appreciate the perplexing dilemma to which the government is reduced, between the *duty* and the *means* of affording protection, and the necessity, consequently, of economy in the modes of effecting it.

Your Excellency is pleased to express your concern at being so repeatedly compelled to solicit protection for the State of Georgia.

This is not understood as implying any want of due disposition on the part of the Executive of this government to afford all the protection which is

within the compass of the means placed within its power, having regard to all the objects which, along a very extended frontier, equally demand attention. It is not doubted that you render justice, in this respect, to the views of the Executive.

But the observation you have made in this particular naturally leads to another, which calls for the most serious attention of the governments of the States exposed to Indian depredations. It is this, that there is a reciprocal duty in the case. The obligation upon the United States to afford adequate protection to the inhabitants of the frontiers is no doubt of the highest and most sacred kind. But there is a duty no less strong upon those inhabitants to avoid giving occasion to hostilities by an irregular and improper conduct, and upon the local governments sincerely and effectually to punish and repress instances of such conduct, and the spirit which produces them. If these inhabitants can with impunity thwart all the measures of the United States for restoring or preserving peace, if they can with impunity commit depredations and outrages upon the Indians, and that in violation of the faith of the United States, pledged not only in their general treaties, but even in the special (and among all nations peculiarly sacred) case of a safe conduct, as in the instance of the attack upon the Indians while encamped within our protection, on the 10th of May last, can it be surprising if such circumstances should abate the alacrity of the national councils to encounter those heavy expenses which the protection of the frontiers occasions, and the readiness

of the citizens of the United States distant from the scenes of danger to acquiesce in the burdens they produce? It is not meant by these remarks to diminish the force of the excuse within due limits which is drawn from the conduct of the Indians towards the frontier inhabitants. It cannot be denied that frequent and great provocations to a spirit of animosity and revenge are given by them, but a candid and impartial survey of the events which have from time to time occurred can leave no doubt that injuries and provocations have been too far mutual, that there is much to blame in the conduct of the frontier inhabitants, as well as in that of the Indians. And the result of a full examination must be that, unless means to restrain by punishing the violences which those inhabitants are in the habit of perpetrating against the Indians can be put in execution, all endeavors to preserve peace with them must be forever frustrated.

An example worthy of imitation in its spirit has lately been given by the surrender to Governor Blount of some Indians who lately committed a murder upon one John Ish, an inhabitant of the southwestern territory, and who have been tried and executed. The record of such an example of justice and fair dealing will give occasion to us to blush, if we can cite no instance of reciprocity amidst the numerous occasions which are given for the exercise of it.

These reflections, your Excellency may be assured, are merely designed to present to consideration some very important truths—truths a due

attention to which is of the most serious concern to those States which have an exposed frontier. To give full weight to their claims upon the exertions of the Union to afford the requisite protection, it is of great moment to satisfy the United States that the necessity for them has not been created or promoted by a culpable temper, not sufficiently restrained among those to whom the protection is immediately to be extended.

The President learns with great pleasure the measures your Excellency had begun and was about to pursue for the removal of the settlers under General Clarke. It is impossible to conceive a settlement more unjustifiable in its pretexts, or more dangerous in its principle than that which he is attempting. It is not only a high-handed usurpation of the rights of the general and State governments, and a most unwarrantable encroachment upon those of the Indians, but proceeding upon the idea of a separate and independent government, to be erected on a *military basis*, it is essentially hostile to our republican systems of government, and is pregnant with incalculable mischiefs. It deeply concerns the great interests of the country that such an establishment should not be permitted to take root, and that the example should be checked by adequate punishment, in doing which no time is to be lost, for such is the nature of the establishment that it may be expected rapidly to attain to a formidable magnitude, involving great expense and trouble to subvert it.

The President therefore depends absolutely upon

measures equally prompt and efficacious to put an end to it.

TO OLIVER WOLCOTT [1]

TREASURY DEPARTMENT, Sept. 29, 1794.

SIR:

Being about to leave the seat of government for a few weeks, to accompany the army in its march against the western insurgents of Pennsylvania, I commit to you during my absence the management of those matters which are reserved to my superintendence, under the constitution and regulations of the department, especially the receipts and expenditures of money, and I rely upon your diligence and zeal that nothing will suffer during my absence. With regard to remissions and mitigations of penalties and forfeitures, it will be best to avoid acting in any case in which particular inconvenience will not arise from delay, as there is not time to explain the principles which have governed in the past, and the course of policy may, without such explanation, be innovated upon so as to occasion something like inconsistency. But in urgent cases you will act, consulting the most recent precedents in similar cases. To preserve the usual forms, I have signed and left in my office a large number of blank warrants of the different kinds which issue. Enclosed is a letter to the President and Directors of the Bank of New York. If they agree to loan you will conclude it. You will find in the office a power from the President

[1] Comptroller of the Treasury.

for the purpose. It will be regular in any contract which may be made to pursue the terms of the power as to parties.[1]

TO RUFUS KING

JONES' MILL, Oct. 30, 1794.

DEAR SIR:

Our light corps, the Jersey infantry, and a brigade of cavalry, are about eight and a half miles in front, beyond all the mountains. This division, which has been delayed by a somewhat worse route and the incumbrance of the public stores, will be at the same place this evening. The left wing is at a corresponding point. All is essentially well; no appearance of opposition. It is of great consequence that a law should, if possible, be expedited through Congress for raising 500 infantry and 100 horse, to be stationed in the disaffected country. Without this, the expense incurred will be essentially fruitless.

A law regulating a peace process of outlawry is also urgent; for the best objects of punishment will fly, and they ought to be compelled by outlawry to abandon their property, homes, and the United States. This business must not be skinned over. The political putrefaction of Pennsylvania is greater than I had any idea of. Without rigor everywhere, our tranquillity is likely to be of very short duration, and the next storm will be infinitely worse than the present one.

[1] Reprinted from *Administrations of Washington and Adams*, i., 155.

TO A FRIEND IN EUROPE

1794.

My own hope of making a short excursion to Europe the ensuing spring increases. Believe me, I am heartily tired of my situation, and wait only the opportunity of quitting it with honor and without decisive prejudice to the public affairs. This winter, I trust, will wind up my plans so as to secure my reputation. The present appearance is that the depending elections will prove favorable to the good cause and obviate anxiety for the future. In this event my present determination is to resign my political family and set seriously about the care of my private family. Previous to this I will visit Europe. There I shall have the happiness of meeting you once more. But will not a few months afterwards give us the pang of a final separation? Let us hope the best. Adieu.[1]

TO THOMAS FITZSIMMONS

PHILADELPHIA, Nov. 27, 1794.

DEAR SIR:

Seeing the debates on the subject of Democratic Societies, I called at your house to state some facts.

It is true that the opposition to the excise laws began from causes foreign to Democratic Societies, but it is well ascertained by proof in the course of

[1] Reprinted from the *History of the Republic*, vi., 193, where it has neither address nor date. This letter, however, must have been written in the autumn of 1794, as the reference to the pending elections and the writer's resignation in the following winter shows.

judiciary investigations that the insurrection immediately is to be essentially attributed to one of those societies sometimes called the Mingo-Creek Society, sometimes the Democratic Society. An early and active member of it commanded the first attack at Neville's House; another active member of that Society, McFarlane, the second attack. Benjamin Parkinson, the president, and several other members of it seemed to have directed the second attack as a committee. This may be asserted as founded upon good proof and information recently received, though it would not be consistent with decorum to name me. Make what use you please of this, and communicate it to other friends.[1]

TO WASHINGTON

PHILADELPHIA, Dec. 1, 1794.

SIR:

I have the honor to inform you that I have fixed upon the last of January next as the day for the resignation of my office of Secretary of the Treasury. I make the communication now that there may be time to mature such an arrangement as shall appear to you proper to meet the vacancy when it occurs.

TO WASHINGTON

December 2, 1794.

The Secretary of the Treasury has the honor respectfully to make the following representation to the

[1] Reprinted from the *History of the Republic*, vi., 123.

President of the United States, in order that he may determine on the expediency of laying the subject of it before Congress.

The procuring of military supplies generally is, with great propriety, vested by law in the Department of the Treasury. That department, from situation, may be expected to feel a more habitual solicitude for economy than any other, and to possess more means of information respecting the best modes of obtaining supplies.

It is, however, important that the particular arrangement should be such as to enable the department to execute the trust in the best manner. This branch of business forms a very considerable one of the public expenditure. Including supplies for the navy, it is so extensive as, to be well executed, would occupy the whole time and attention of one person, possessing the requisite qualifications. This, with the growth of the country, must be every year more and more the case. It cannot, therefore, be conducted in detail by the head of the department, or by any existing officer of it, now charged with other duties, and without being less well executed than it ought to be, or interfering with other essential duties, or without a portion of both these inconveniences, to the material detriment of the public service. Experience has already verified the position.

It must then, of necessity, either be confided to a special agent, employed by the head of the department, or to a new officer of the department, to be constituted by law, and to act under the discretion

and superintendence of that head. The last mode is preferable to the first, for obvious reasons.

Whenever an object of public business is likely to be permanent, it is more fit that it should be transacted by an officer of the government, regularly constituted, than by the agent of a department, specially intrusted.

The officer can be placed, by law, under more effectual checks. In the present case, that idea is particularly important. The person intrusted ought to be prohibited, under penalties, from all dealing, on his own account, in the objects of supply.

The duration and emoluments of mere agency being precarious, a well-qualified man, disposed to make the necessary sacrifices of other pursuits, and to devote himself exclusively to the business, could with much greater difficulty, if at all, be found.

The compensation to such an officer ought, it is conceived, to weigh nothing as an objection. Independent of the equivalent expense, arising from the necessity of employing and compensating an agent, it is morally certain that the close, constant, undivided attention of a person, charged exclusively with this object, and in condition, for that reason, to make the minute as well as extensive inquiries and investigations which are often requisite, would produce savings to the United States with which the salary of the officer could bear no comparison. It is equally evident that it would contribute greatly to punctuality, despatch, and efficiency in procuring the supplies.

TO WASHINGTON

PHILADELPHIA, Jan. 26, 1795.

SIR:

Mr. Wolcott has just informed me that the Secretary of State had called upon him as by your direction, to confer on the subject of a person to be appointed Comptroller, in the event of his appointment as Secretary of the Treasury; and intimated that you had concluded to take some gentleman from the South; that Mr. Habersham (brother of the collector of Savannah) was more particularly in your eye, and that if he or I had any different view of the subject, it was your wish that it might be speedily communicated, as you were desirous of coming to a conclusion.

This I accordingly feel it my duty to do.

It is of the greatest importance to the proper conducting the business of the Treasury Department that the Comptroller should be a man of the following description: of strong sense, of clear discernment, sound judgment, indefatigable industry, firmness, and prompt decision of temper; possessing a comprehensive knowledge of accounts, and of course good principles.

As well from the nature of the office as from the particular situation of the department, as it will stand at the moment of my resignation, it is of peculiar consequence that there should be no mistake in the selection of the proper character for Comptroller. It will be easy for the department to run into disorder if such a mistake should happen.

From all the light I have been able to obtain on the subject, though it results in a favorable impression of Mr. Habersham generally, yet it leaves a considerable doubt on my mind that he would be an eligible appointment as Comptroller of the Treasury. I cannot, therefore, add my opinion to the rest of the opinions which may favor it.

There is one gentleman South, whom I have before mentioned, of whose fitness in every respect, from trial of him in different public situations, it appears to me impossible to entertain a doubt—I mean Colonel Edward Carrington. I will pledge my reputation to the President for his proving, if appointed, an excellent Comptroller, and a valuable acquisition to the department.

I have fully reflected on the objection which from the distributive geographical rule, is supposed to be against him—and I beg leave to submit, as my opinion, that it ought not to be conclusive. This rule is doubtless a good one; but if carried so far as to hazard the appointment of unqualified persons to offices of material importance to the general administration of the government, it will become a bad one, sacrificing primary to secondary considerations.

I have offered my opinion with the less reserve because I ought to be explicit in a case not only of much moment to the public service, but when the arrangements which may be made, may, naturally from situation, be presumed to have had the concurrence of my opinion, and where, therefore, my reputation is more particularly concerned.

TO WILLINK, VAN STAPHORST, & HUBBARD [1]

TREASURY DEPARTMENT, Jan. 31, 1795.

GENTLEMEN:

It is probable that before this reaches you, you will have heard of my determination to resign my office as Secretary of the Treasury as on this day. The event will accordingly take place.

I could not permit myself to renounce my official situation without placing among my last acts the expression of the high sense I continue to entertain of the fidelity and ability with which you have uniformly served the United States. This testimony is due to you, and it is with great pleasure I give it.

The gentleman whom the President has determined to nominate as my successor, and who will be no doubt appointed, is Oliver Wolcott, Esquire, the present Comptroller of the Treasury. I do him no more than justice by assuring you that he is a gentleman of undoubted intelligence, probity, and good principles with regard to public credit. The confidence of yourself and your countrymen may be safely reposed in him.

TO WASHINGTON

TREASURY DEPARTMENT, Jan. 31, 1795.

SIR:

Agreeably to the intimation heretofore given, I have the honor now to tender you my resignation of the office of Secretary of the Treasury, and to be

[1] The Dutch bankers who had charge of our financial negotiations in Holland.

with sincere respect and affectionate attachment, sir, etc.

WASHINGTON TO HAMILTON

Sunday, Feb. 1, 1795.

DEAR SIR:

I received the enclosed letter, with the document therein, last night.

For reasons which will appear obvious, I make you acquainted with the contents of them—being yours,

G. WASHINGTON.

Endorsement on this letter by A. H.

This covered a letter from Mr. Coxe, of the 31st January,[1] 1795, containing a charge against Mr. Wolcott, for my having committed to him, and he having exercised, the duties of Secretary of the Treasury in my absence on the Western expedition.

A. H.

WASHINGTON TO HAMILTON

PHILADELPHIA, Feb. 2, 1795.

DEAR SIR:

After so long an experience of your public services, I am naturally led, at this moment of your departure from office—which it has always been my wish to prevent—to review them.

In every relation which you have borne to me I have found that my confidence in your talents, exertions, and integrity, has been well placed.

[1] This letter curiously shows the hostility which pursued Hamilton even when leaving office. The writer was Tench Coxe, who was an officer in the Department. See following letter of Feb. 12, to Washington.

I the more freely render this testimony of my approbation, because I speak from opportunities of information which cannot deceive me, and which furnish satisfactory proof of your title to public regard.

My most earnest wishes for your happiness will attend you in your retirement, and you may assure yourself of the sincere esteem, regard, and friendship of, etc.

TO WASHINGTON

PHILADELPHIA, Feb. 3, 1795.

SIR:

My particular acknowledgments are due for your very kind letter of yesterday. As often as I may recall the vexations I have endured, your approbation will be a great and precious consolation.

It was not without a struggle that I yielded to the very urgent motives which impelled me to relinquish a station in which I could hope to be in any degree instrumental in promoting the success of an administration under your direction; a struggle which would have been far greater had I supposed that the prospect of future usefulness was proportioned to the sacrifices to be made.

Whatsoever may be my destination hereafter, I entreat you to be persuaded (not the less for my having been sparing in professions) that I shall never cease to render a just tribute to those eminent and excellent qualities which have been already productive of so many blessings to your country, that you will always have my fervent wishes for your public and personal felicity, and that it will be my pride to cultivate a continuance of that esteem, regard, and

friendship of which you do me the honor to assure me. With true respect and affectionate attachment, etc.

TO WASHINGTON

(Private.)

PHILADELPHIA, Feb. 12, 1795.

SIR:

I have maturely reflected on the subject of the within papers. I do not hesitate to give it as my opinion that, if it were not for *very peculiar personal* circumstances, the fittest arrangement, upon the whole, would be to consign the temporary execution of the comptroller's office to the commissioner of the revenue. But I could not advise this, because it could not fail, for strong reasons, to be unpleasant to Mr. Wolcott, and because there is real danger that Mr. Coxe would first perplex and embarrass, and afterward misrepresent and calumniate.

The treasurer would by no means answer, because, as the *keeper of the money*, it is particularly essential that all the checks upon him should be maintained in full vigor, and the comptroller is the officer who, in the last resort, *settles* his accounts, as well as concurs, in the first instance, in *authorizing*, by the warrants which are issued by the secretary, and countersigned by the comptroller, the payments and receipts of the treasurer.

The register is also one of the principal checks of the department: first, upon the secretary and comptroller, whose warrants he must register and sign before they can take effect; and secondly, upon the

settlements of the comptroller and auditor, by recording their acts, and entering them upon the books to the proper accounts.

Of any of the officers of the department, except the commissioner of the revenue, the business can be best managed through the auditor, consistently with the preservation of the most material checks, with the restriction I mentioned this morning, *of his not deciding, as comptroller, upon any account he may have settled as auditor.* The temporary suspension of the final conclusion of the accounts—all the previous examinations going on, cannot be attended with any serious inconvenience. If the laws admit of it (which I doubt, as they now stand), the appointment of the auditor's first clerk to act as the auditor in his stead will be a conveniency. I do not think this would be liable to the same objections as the appointing a clerk to act as comptroller, whose office imports the second trust in the department. In one sense, to appoint the auditor to act as comptroller, would comport best with the spirit of the constitution of the department. This is, that *the officer who is to settle* the accounts by countersigning the warrants for *receipts* and payments, shall have an opportunity to observe this conformity with the course of business as it appears in the accounts, and shall have notice in the first instance of all payments and receipts, in order to the bringing all persons to account for public moneys. This reason operates to make the auditor, who is the coadjutor of the comptroller in settlements, his most fit substitute *in this particular view.*

On the whole, I am of opinion that it is most advisable to appoint the auditor.[1]

A clerk, for reasons already mutually adverted to, does not appear to be expedient. I have the honor to be, etc.

P. S.—*The restriction* above suggested, for greater caution, had best be in writing in a letter to the Secretary of the Treasury.

The instrument appears to me to be in proper form.

TO THEODORE SEDGWICK

BRISTOL, Feb. 18, 1795.

MY DEAR SEDGWICK:

Every moment's reflection increases my chagrin and disgust at the failure of the propositions concerning the unsubscribed debt. I am tortured by the idea that the country should be so completely and unnecessarily dishonored. A day of reckoning must come. I pray you let the yeas and nays separate the *wheat* from the *chaff*. I may otherwise have to feel the distress of wounding a friend by a shaft levelled at an enemy. The case is an extreme one. Managements are every way improper.

TO RUFUS KING

KINGSTON, Feb. 21, 1795.

MY DEAR KING:

The unnecessary and capricious and abominable assassination of the national honor by the rejection

[1] Richard Harrison.

of the propositions respecting the unsubscribed debt in the House of Representatives haunts me every step I take, and afflicts me more than I can express. To see the character of the government and the country so sported with—exposed to so indelible a blot—puts my heart to the torture. Am I, then, more of an American than those who drew their first breath on American ground? Or what is it that thus torments me at a circumstance so calmly viewed by almost everybody else? Am I a fool—a romantic Quixote—or is there a constitutional defect in the American mind? Were it not for yourself and a few others, I could adopt the reveries of De Paux [1] as substantial truths, and could say with him that there is some thing in our climate which belittles every animal, human or brute.

I conjure you, my friend, make a vigorous stand for the honor of your country! Rouse all the energies of your mind, and measure swords in the Senate with the great slayer of public faith—the hackneyed veteran in the violation of public engagements. Prevent him if possible from triumphing a second time over the prostrate credit and injured interests of his country.[2] Unmask his false and horrid hypothesis. Display the immense difference between an able statesman and *the man of subtleties*. Root out the distempered and noisome weed which is at-

[1] The Abbé de Paux, or Pauw, a distinguished scholar, born in Amsterdam. The work referred to is his *Recherches Philosophiques sur les Américains*. He wrote similar works on the Chinese, Egyptians, Greeks, and ancient Germans.

[2] Witness the forty for one scheme—a most unskilful measure, to say the best of it.

tempted to be planted in our political garden, to choke and wither in its infancy the fair plant of public credit.

I disclose to you without reserve the state of my mind. It is discontented and gloomy in the extreme. I consider the cause of good government as having been put to an issue and the verdict rendered against it.

Introduce, I pray you, into the Senate, when the bill comes up, the clause which has been rejected, freed from embarrassment by the bills of credit, bearing interest on the nominal value. Press its adoption in this, the most unexceptionable shape, and let the *yeas* and *nays* witness the result.

Among the other reasons for this is my wish that the true friends of public credit may be distinguished from its enemies. The question is too great a one not to undergo a thorough examination before the community. It would pain me not to be able to distinguish. Adieu. God bless you!

P. S.—Do me the favor to revise carefully the course of the bill respecting the unsubscribed debt and let me know the particulars. I wish to be able to judge more particularly of the under-plot I suspect.

TO RUFUS KING

NEW YORK, Feb. 26, 1795.

MY DEAR SIR:

I have received your letter with the printed bills. The new clause is an additional bad feature, yet 't is

better the thing should pass as it is than not at all. Every thing should be gained that can be.

So it seems that under the present administration of the department, Hillhouse [1] and Goodhue [2] are to be the ministers in the House of Representatives, and Ellsworth [3] and Strong [4] in the Senate. Fine work we shall have!

But I swear the nation shall not be dishonored with impunity.[5]

TO OLIVER WOLCOTT

ALBANY, April 10, 1795.

DEAR SIR:

I wrote you a few lines by the last post. I sit down to fulfil my promise then made.

The fulfilment of our foreign engagements under the existing circumstances is no doubt a perplexing task. But I hope it will not be found impracticable to effect enough to preserve character and credit.

Every thing must be done to this end, though with considerable sacrifices, provided you do not go so far as to *endanger credit at home*. This must at all events be kept sound, since a shock there will be fatal, while the extraordinary situation of the times will furnish an apology for any omissions which may

[1] James Hillhouse, of Connecticut.

[2] Benjamin Goodhue, of Massachusetts.

[3] Oliver Ellsworth, of Connecticut.

[4] Caleb Strong, of Massachusetts.

[5] All the persons mentioned in this letter were staunch Federalists and warm friends of Hamilton. He wrote evidently in great but momentary irritation on account of the course of Congress as to the unsubscribed debt.

happen abroad; and, by eventual indemnification, the wounds which may be given to foreign credit may be healed. The opinion which some entertain is altogether a false one—that it is more important to maintain our credit abroad than at home. The latter is far the most important nursery of resources, and, consequently, far the most important to be inviolably maintained. A failure here would be the more material, because it would argue want of means, and could not shelter itself under the plea of temporary embarrassments from external causes, and because it would derange our whole internal economy.

But, except the compromitting our whole domestic credit, nothing must be left undone to preserve external credit.

I do not doubt that the means which have been taken down to the first of June, inclusively, will be deemed adequate, considering the circumstances. They may, however, fail of the effect intended. But I do not apprehend any material evil from the delay of reimbursing the instalment of principal, if the interest is but *punctually* and honestly paid. I hope our commissioners, with the public and their own resources, will effect this, till further provision can be brought into action.

As to sending specie from this country, 't is out of the question. 'T would derange every thing, and our commissioners ought to be frankly told that it is impracticable, *owing to the interruption by the war of some of the usual channels through which we have derived our supplies of specie.*

But commodities may be remitted on the public

account, and this (the resource of stock failing) must, for aught I see, be done, unless what I shall now mention can be accomplished, with the judgment of our commissioners in its favor, to wit:

Let *them* enter into an arrangement with the constituted authorities of Holland or France (preferring the former) to receive at Amsterdam the sums necessary for paying those which we shall owe, giving drafts upon our treasury for *equivalent* sums. This will enable the French or Dutch government to obtain supplies here, which they will want.

But may they for this purpose receive and *pay* assignats? Not so, if assignats are not the general currency of the country; but if they are, there may be no choice. Gold and silver may not then be obtainable at all. Perhaps the commissioners may be able to raise funds by the sale of bills upon this country; otherwise, as many may wish, to remit from the Netherlands.

Yet our creditors must not be paid without a *reasonable indemnification* in depreciated paper. Consequently our commissioners must be authorized, if obliged to pay in assignats, to augment the rate, so as to allow an equivalent.

Accordingly, if the arrangement I have intimated can be effected, the commissioners may give bills, *florin* for *florin*, of gold or silver (or a dollar for 2½ florins); but if they are obliged to receive assignats, they ought to secure a premium of exchange equal to the depreciation.

This transaction ought to be managed under the superintendence of our minister.

What I wish you were able immediately to do is this: To ship without delay commodities sufficient, together with the moneys certainly in the command of the commissioners, independent of sales of stock, to pay *interest* to September, inclusively, writing them a letter suggesting the above plan, and authorizing them to act upon it if they approve.

The stock remitted may be ordered to be sold in England, which will furnish a fund upon which you can draw, in order to prosecute other methods of remittance.

At the same time, I think it may be well to take measures for ascertaining whether some arrangement could not be relied upon for remitting through England to Amsterdam. I know of no impediment, even now, to sending *bullion* (including Spanish and other foreign gold and silver coin) in American bottoms to Amsterdam, but impediments might arise. Perhaps in this case London might be made an intermediary of remittances to Holland, either by sales of stock or commodities there.

The commodities to be remitted ought to be such as to be liable to as little casualty as possible from war considerations, and they ought to be most effectually insured, and ought to appear authentically as those of the United States sent to pay their debts on their own account and risk. I suspect, however, the *other plan* will be found practicable on satisfactory principles, but no agreement ought to be for a longer term than a year.

If you are not able to send, immediately, commodities for payment of interest to September, it

may then be of necessity to wait further information, giving full latitude, if it has not already been given, to sell stock for payment of interest at any price; suggesting the possibility of doing some thing through London, and proposing the plan of the arrangement which has been suggested. All the stock not salable in Amsterdam ought to be placed in London, under due precautions for security, to be sold there as a fund.

The co-operation of our minister in Holland will be proper throughout; and pretty large discretions must be confided.

If a very trusty and a clever fellow could go from hence, as agent for the treasury, with alternative instructions according to circumstances, it might be very useful. I believe WILLIAM SMITH, of South Carolina, would go and he would be safe and competent. Would not James Watson go? He would also do.

In contemplating a possible course of things, I had my eye upon the expedient of issuing *warrants* upon the treasurer, payable at future periods, from two to twelve months, in nature of exchequer bills. This may be a means of providing for the current service of credit, besides the expedient of loans from the bank. By being negotiable, they may answer the purposes of contractors, though articles may thereby cost some thing more to the public, than on the plan of anticipated or prompt payment.

I mention this, because I foresee that, from the embarrassment of foreign events, there may be a press upon the treasury.

If any thing further occurs, you shall have it. Write me as freely as you please.

P. S.—There is one idea which may deserve attention—a depreciated paper naturally gives to gold and silver an *artificial* and *exaggerated* value. This may even occasion an undue loss to a debtor who is honorable enough to pay in gold and silver, when a depreciated paper is the general currency. This is more than just. But it may be policy in a government to submit to it. Yet there may be bounds. The idea may be brought into the view of our minister and commissioners for this purpose: To suggest, that if such an artificial advancement of gold and silver takes place, the compensation for depreciation may be adjusted upon some *equitable ratio*. But a moderate sacrifice, for simplicity of proceeding, may, in this case, be best.

I send a letter to the Attorney-General which you will read, seal, and deliver. You will easily divine my reason for addressing it to him. The President ought to view this matter as it is, but I do not write to him, because I do not wish to appear officious.

Have you taken any arrangement at Amsterdam, to facilitate the change of foreign and domestic debt, according to the law of last session? The moment is favorable. Facilities on the spot may promote the object. Our commissioners and our minister are worthy of trust.

TO RUFUS KING

April 24, 1795.

DEAR SIR:

I return you a certain draft, with a little substitute for the close of it proposed by Mr. J——, with an eye to your suggestion.

Our petition went yesterday by express. It had more than 3,200 signers, which is within about 300 of the highest poll we ever had in this city *on both sides*, at the most controverted election. Nothing can more clearly demonstrate our unanimity, and I feel no doubt of equal or greater unanimity throughout the State.

The meeting-men have not dared to publish the names of the committee, because it impudently contained a considerable proportion of persons hostile to its object, several of them actually on our petition. You see by this their embarrassment and their weakness.

TO WILLIAM BRADFORD [1]

May, 1795.

DEAR SIR:

Yours of the twenty-first of May, by going to Albany, did not reach me till yesterday. The expectation of Mr. Adet properly varied the course of proceeding. I am glad the impression with you corresponded with mine.

[1] William Bradford, of Pennsylvania, at this time Attorney-General of the United States. He had been a soldier of the Revolution and a judge and Attorney-General of Pennsylvania. He was a man of ability and character, and his premature death shortly after the date of this letter, on August 23, 1795, was deeply regretted.

If Mr. Randolph showed Fauchet any part of the instructions to Mr. Jay, I do not much regret that he manifests displeasure at the withholding of a part. When shall we cease to consider ourselves as a colony of France? To assure her minister that the instructions to Mr. Jay contained nothing which could interfere with our engagements to France might, under all the circumstances, have been expedient; but to communicate specifically any part of the instructions to our envoy, was, in my judgment, improper in principle and precedent.

I expect the treaty will labor. It contains many good things, but there is one ingredient in it which displeases me—of a commercial complexion. I am, however, of opinion, on mature reflection, that it is expedient to ratify, accompanied by a declaration that it is our intention, till there be a further explanation and modification of the article, to forbear the exercise of a certain privilege, and consequently the performance of the condition of it, or some thing equivalent. This, it is true, may or may not be accepted. But I believe it will create no difficulty, and I would rather risk it than take the treaty unqualifiedly. I prefer this course to that of sending back the treaty for a new negotiation, because (among other reasons) it may save time, and more speedily close certain matters which I deem it very important to terminate. I am also glad to learn that, since the date of your letter, there have been some convictions of the insurgents. This was very essential to the permanent good effects of the measures which were pursued on that subject. You see,

I have not entirely lost my appetite for a little politics; you must not infer that I have not a very good one for law.

P. S.—I had almost forgotten a principal object of this letter. It concerns the Marquis Lafayette. In conversation, I think, but certainly by letter (this *entre nous*), I suggested to Mr. Jay that, in case the treaty with Great Britain turned favorably, it will be well to hint to the British minister that the United States took a very particular interest in the welfare of Lafayette, and that the good offices of that country, to procure his liberation, would be regarded as a valuable mark of friendship. I believe I also had some conversation, in the same spirit, either with the President or the Secretary of State; but I do not remember if any thing was done. If the thing has not been tried, and if the treaty is ratified, will it not be advisable to instruct the person who is to exchange it, to accompany it with an observation of the above import? The moment will be a favorable one—and I imagine the time is fast approaching when Lafayette will recover his popularity in his own country. The chief thing against this is the rivalship of those who hold the power. But will they not be glad to consolidate their general plan by weight of a man who with all parties, has maintained the character of well-intentioned, and who probably has the good-will of the multitude, spite of all that has passed. I see no inconvenience in your taking occasion to ask Mr. Jay if the Marquis Lafayette was ever the subject of conversation

between him and the British ministry, and how it terminated. And I will thank you, if you feel yourself at liberty, to let me know whether any thing like the step I have suggested obtains.[1]

TO RUFUS KING

NEW YORK, June 11, 1795.

DEAR SIR:

I thank you for your letter of the 10th. The case has been with me as with you. Reflection has not mitigated the exceptionable point. Yet it will be to be lamented, if no mode can be devised to save the main object and close the irritable questions which are provided for. Every thing besides an absolute and simple ratification will put some thing in jeopardy. But while, on the one hand, I think it advisable to hazard as little as possible, on the other, I should be willing to hazard some thing, and unwilling to see a very objectionable principle put into activity.

It is to be observed that no time is fixed for the ratification of the treaty. It may then be ratified with a collateral instruction to make a declaration, that the United States considers the article in question, aggregately taken, as intended by the king of Great Britain as a privilege; that they conceive it for their interest to forbear the exercise of that privilege, with the condition annexed to it, till an explanation in order to a new modification of it shall place it on a more acceptable footing, or till an article to be

[1] Reprinted from the *History of the Republic*, vi., 216.

sent to our minister containing that modification shall be agreed upon between him and the British court as a part of the treaty—the ratification not to be exchanged without further instruction from this country, unless accepted in this sense and with this qualification.

This course appears to me preferable to sending back the treaty to open the negotiation anew, because it may save time on the points most interesting to us, and I do not see that if the ratifications be exchanged with this saving, there can be any doubt of the matter operating as intended. Adieu.

TO OLIVER WOLCOTT

NEW YORK, June 13, 1795.

DEAR SIR:

Your letter from New York, after a circuit by Albany, found me here.

I forgot to observe to you in my last, that unless there were objections to it which did not occur to me, it appeared advisable, if not done, to institute at Amsterdam a plan for subscribing the Dutch and Antwerp debt. It may be conducted under the management of our commissioners with the superintendence of our minister. In all such cases a considerable deal depends on facilities on the *very spot*, and the moment seems particularly favorable.

P. S.—I will willingly testify what you mention respecting Mr. Cabot,[1] but having torn up your letter,

[1] George Cabot, Senator from Massachusetts, an intimate friend of Hamilton and Wolcott. It is impossible now to tell the meaning of the reference here made to him.

trusting to my memory, it has left me in the lurch, and I do not know where Cabot is, whether here or in Europe. What prospects *as to the treaty ?* [1]

TO RUFUS KING

NEW YORK, June 20, 1795.

MY DEAR SIR:

A considerable alarm has been spread this morning by a report that the treaty had been disagreed to. I have assured those I have seen that I was convinced any rumor of a decision must be premature. The anxiety, however, about the result is extreme. The common opinion among men of business of all descriptions is that a disagreement to the treaty would greatly shock and stagnate pecuniary plans and operations in general. This is not a small source of disquietude. Others, who are not likely to be affected in that sense (and among these myself), look forward to the result with great solicitude, as fixing or endangering the stability of our present beneficial and desirable situation.

My influence in seconding the wishes of our friend General Greene is, I fear, overrated. Unwilling to raise expectation which may not be realized, I will only say that it will give me real pleasure to be able to promote his accommodation or advantage, as my opinion of him entirely corresponds with yours. In

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society. I owe this and other letters from the same source to the kindness of the Hon. J. Hammond Trumbull, of Hartford.

the meantime I will, as far as circumstances permit, have an eye to the affair.

TO OLIVER WOLCOTT

NEW YORK, June 22, 1795.

DEAR SIR:

I have received your letter of the 18th instant. I will reply to one or two points now, and to the rest hereafter.

With regard to the measure of receiving Dutch bonds here to be exchanged, as is usual, it has different sides. To do it may be, in some measure, necessary to effectuate the main object, as there may be many individuals who, from circumstances, might not think themselves safe in employing the mode which has been adopted, and which is no doubt proper. Yet it is easy to see it might be attended with hazard of imposition. But some thing may depend on the nature of the checks which the course of the business originally gives to our agents at Amsterdam. If similitude of handwriting is the only internal check, perhaps it may be possible to manage the matter here. A conversation with Cazenove may furnish you with the requisite data. Yet I feel great doubts of the safety of the operation, and, if adopted at all, it ought to be upon condition that no definitive or *alienable* evidences are to be given in exchange for the original bonds till after a period (to be named) long enough to receive at the treasury the result of the operation in Holland, and a particular and detailed statement of it; and that no interest be payable (in the meantime) without a guaranty for repayment. With these checks none

but respectable men will come forward, and there may be little or no risk. Yet, as I intimated, even the expediency of this depends on the nature of the original checks, and it ought to be announced that the treasury reserves to itself entire discretion as to the admission or non-admission of the bonds presented here.

With regard to the contract proposed by Mr. Swan, I answer, that I doubt much the advisability of concluding any thing with him here, for being concluded, it must be relied upon as a *primary* resource with the auxiliary and *contingent* expedient of drawing in case of failure; and Mr. Swan is not of standing, or character, to justify the leaving the public credit to depend primarily upon his punctuality. If Mr. Swan is able to do what he offers, it must be on the basis of French government funds, or that of a powerful moneyed combination in Europe. If either, why cannot he be referred to our commissioners and *minister*, under letters from the treasury stating the offer, the desirableness that such a contract could be formed under adequate guards for its performance, and leaving it to them to judge of the adequateness of the guards which shall be proposed? It appears to me very material that they should be satisfied with the arrangement, and essential that there should be good security and known resources for the execution of it.

Else no loss on shipping commodities, or otherwise, for the short time it can last, will counterpoise the risk of disappointment and censure of reliance on an incompetent character.

I will barely observe on one point of the latter part

of your letter, namely, the payment of interest under the direction of the commissioners of the sinking fund. I have not the act by me, and can only speak from memory; but I am persuaded it does not require it. I am sure it will be highly inexpedient to place any *extra clogs* on that operation, and I do not perceive why the manner of keeping the accounts may not obviate any embarrassment from a separate management of the two things. I will write again more particularly, on this as well as on other points. I am glad to know that there is a probability of a proper issue to the affair of the treaty.

TO OLIVER WOLCOTT

NEW YORK, June 26, 1795.

DEAR SIR:

I have direct information, in confidence, that the minister of France, by a letter received yesterday, has ordered a *fast-sailing vessel* for France to be prepared at this port. No doubt this has connection with the treaty with England. I presume, with the reserves that decorum requires, he is apprised of the contents of that treaty. This ought, at least, to go so far as to satisfy him that there is nothing in it inimical to his country, especially as I suppose it to have been adopted. It is well to guard our peace on all sides, as far as shall consist with dignity.

Indeed, I am of opinion, on the whole, that all further mystery at present is unnecessary, and ought to be waived, for the satisfaction of the public mind. I do not think any scruples of diplomatic decorum of weight enough to stand in the way.

TO OLIVER WOLCOTT

NEW YORK, June 30, 1795.

DEAR SIR:

Doctor Livingston some time since left with me a bundle of vouchers relating to the questions between Phil. Livingston's estate and the public. There was, among other things, a little register or book with a marble cover, doubled up. I do not find it among my papers, and if my memory does not deceive me it was sent, on breaking up at Philadelphia, to one of the officers of the treasury. Mr. Jones may know some thing of it. It is interesting to the estate. Let a careful search be made, and when found let it be forwarded by a careful hand to me.

P. S.—I find the non-publication of the treaty is working as I expected—that is, giving much scope to misrepresentation and misapprehension. The Senate, I am informed by several members, did not take any step towards publication, because they thought it the affair of the President to do as he thought fit.[1]

TO ROBERT TROUP[2]

NEW YORK, July 25, 1795.

MY DEAR TROUP:

Confiding in your integrity and friendship to me, I have made you executor of my will. My concerns are not very extensive and of course will not give you much trouble. Indeed, I might have dispensed

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

[2] Robert Troup, of New York, a gallant officer in the war for independence. He was a successful lawyer, a United States district judge, and one of Hamilton's closest friends.

with the ceremony of making a will as to what I may myself leave, had I not wished that my little property may be applied as readily and as fairly as may be to the benefit of my few creditors. For after a life of labor I leave my family to the benevolence of others, if my course shall happen to be terminated here.

My property will appear on the list herewith marked A.

My creditors are John Barker Church,[1] to whom I owe about five thousand pounds, as will appear by account marked B.

The Office of Discount and Deposit, New York, who hold a note of mine for five hundred dollars endorsed by Nicholas Fish. The holders, unknown, of two drafts drawn upon me by my father, one for five hundred, the other for two hundred, dollars. Mr. Meade, to whom Ceracchi gave a bill on me for six hundred and odd dollars, which I told Mr. Ludlow it was my intention to pay.

Mr. Sheaf, of Philadelphia, wine merchant, to whom I owe a balance of account not very considerable. Gaspard Joseph Armand Ducher, who has my bond in duplicate for £698 principal, being for money which he left in my hands when he went to France, having no better disposition of it. This, being a bond debt, will claim a preference, and from the nature of it I am glad of it.

Arthur Noble, Esquire, who has my bond for the fourth part of the lands purchased of him in company with yourself, Lawrence, and Fish. The lands them-

[1] His brother-in-law.

selves will be a fund for the payment of these bonds. I hope the poor fellow may be alive. He was a member of the convention.

I have left in the hands of Col. Fish the obligations mentioned in the list of Cortland and of Wickham & Thompson, to secure him in this mere act of friendship from the possibility of loss, and to accelerate his reimbursement.

I hesitated whether I would not also secure a preference to the drafts of my father, but these, as far as I am concerned, being a voluntary engagement, I doubted the justice of the measure, and I have done nothing. I regret it, lest they should return upon him and increase his distress. Though, as I am informed, a man of respectable connections in Scotland,[1] he became, as a merchant, bankrupt at an early day in the West Indies and is now in indigence. I have pressed him to come to me, but his great age and infirmity have deterred him from the change of climate.

I hope what I leave may prove equal to my debts. If it does not, I have the consolation of hoping that the loss will be permitted by himself to fall upon my brother-in-law, Mr. Church, whose friendship and generosity I do not doubt.

I regret that his affairs as well as my own have suffered by my devotion to the public service. But I trust, upon the whole, that the few operations I have made for him will more than recompense him for my omissions, though they will not have been as

[1] When Hamilton speaks in this way of his father, it is not surprising that so much mystery should overhang his birth and parentage.

profitable to him as they ought to have been, and as they would have been if I could have paid more attention.

Purchases of lands have been made for Mr. Church, first, in Pennsylvania, in company with Tench Coxe, to whom I advanced ten thousand dollars; second, in this City of New York, in company with J. Lawrence, to whom I have advanced the sums mentioned in the account marked C, in bundle AA. Besides these advances, I have put into his hands a draft of Fitsimmons upon Constable, accepted by the latter, for four thousand dollars, and a set of bills for five hundred pounds sterling, received from Robert Morris, drawn by Harrison & Sherret upon the house of Cazenove & Co., London. These are all on the same account of the purchases.

You will find, in the bundle marked AB, a smaller bundle marked D, which will explain the nature and state of the business with Mr. Coxe, by which also you will see that Mr. Anthony, who is a very good man, is my agent in that affair.

You will also find in bundle AA a note of Mr. Morris for nine thousand five hundred dollars, on account of which the above bills are. This note was for money lent belonging to Mr. Church. Mr. Morris will not dispute that it bears interest from the date. Indeed, the real sum was ten thousand dollars, but Mr. Morris after some time paid me five hundred. The interest ought to be calculated accordingly. Mr. Morris can furnish the data.

As this money was thus disposed of without being warranted by the spirit of Mr. Church's instructions,

I considered myself as responsible for it. And I trust that Mr. Morris will exert himself to pay the balance speedily, to be applied to the investments which Mr. Lawrence is making.

I have received some large fees for which the parties could not have had equivalents: from Williamson, one hundred pounds; from Constable, one hundred pounds; from Macombe, one hundred pounds; from Mr. Bayard, on behalf of Wilken and Jared Willink, one hundred pounds. It would be just, if there were means, that they should be repaid. But what can I direct who am, I fear, insolvent?

God bless you, my friend. Be assured always of the attachment of, etc.

P. S.—I remitted Sheaf, on my way through Jersey, an order on the Bank of the United States for a good part of his demand. This will appear by my bank account.

In my leather trunk, where the bundles above mentioned are, is also a bundle I. R. inscribed thus:

To be forwarded to Oliver Wolcott, Jun., Esqr.

I entreat that this may be early done by a careful hand.

This trunk contains all my interesting papers.[1]

[1] This long and interesting letter is now first printed from the Hamilton papers in the State Department. It furnishes a striking commentary on the charges of corruption made against Hamilton by Jefferson and his tools, and on Madison's cold sneer that Hamilton retired from office alleging poverty as the cause.

TO OLIVER WOLCOTT

NEW YORK, July 28, 1795.

DEAR SIR:

We have some cause to suspect, though not enough to believe, that our Jacobins meditate serious mischief to certain individuals. It happens that the militia of this city, from the complexion of its officers in general, cannot be depended on, and it will be difficult for some time to organize a competent armed substitute. In this situation our eyes turn as a resource in a sudden emergency, upon the military now in the forts, but these, we are told, are under marching orders. Pray converse confidentially with the Secretary of War, and engage him to suspend the march. Matters in eight or ten days will explain themselves.

How are things truly in Philadelphia? I have good reason to believe that the President, before he left Philadelphia, had concluded to ratify the treaty according to the advice of the Senate. Has any thing finally been done, or are we where we were?

TO OLIVER WOLCOTT

NEW YORK, August 5, 1795.

DEAR SIR:

I have received yours of the 3d instant. You make no mention of having received one from me, enclosing another for the Attorney-General, in which I tell him that I will attend the cause which involves the question respecting direct taxes when notified of the time it will come on.

The silence of your letter makes me fear it may have miscarried.

I do not wonder at what you tell me of the author of a certain piece.[1] That man is too cunning to be wise. I have been so much in the habit of seeing him mistaken, that I hold his opinion cheap.[2]

TO OLIVER WOLCOTT

NEW YORK, August 10, 1795.

DEAR SIR:

I have received your letter by Saturday's post. The one you enquire about was received.

I incline very much to the opinion that this will be the proper course of conduct in reference to the order to seize our vessels with provisions—viz., to send to our agent the treaty ratified as advised by the Senate, with this instruction: that if the order for seizing provisions is in force when he receives it, he is to inform the British ministry that he has the treaty ratified, but that he is instructed not to exchange the ratification till that order is rescinded, since the United States cannot ever give an implied sanction to the principle. At the same time a remonstrance ought to go from this country, well considered and well digested, *even to a word*, to be delivered against the principle of the order.

My reasons for this opinion are summarily these:

[1] Note by Oliver Wolcott: "Tench Coxe, author of a piece signed *Juriscola*." Tench Coxe was commissioner of revenue, and, as has appeared above, had already made charges against and attempted to injure both Hamilton and Wolcott.

[2] Now first printed from the Wolcott papers, in the possession of the Connecticut Historical Society.

Firstly.—That in fact we are too much interested in the exemption of provisions from seizure to give even an implied sanction to the contrary pretensions.

Secondly.—That the exchange of ratifications pending such an order would give color to an abusive construction of the eighteenth article of the treaty, as though it admitted of the seizure of provisions.

Thirdly.—That this would give *cause* of umbrage to France, because it would be more than merely to refrain from resisting by force an innovation injurious to her, but it would be to give a sanction to it in the midst of a war.

Fourthly.—It would be thus construed in our country, and would destroy confidence in the government.

Fifthly.—It would scarcely be reputable to a nation to conduct a treaty with a Power to heal past controversies, at the very moment of a new and existing violation of its rights.

P. S.—Deliver the enclosed as soon as it gets to hand. If an order has existed, and has been rescinded, the remonstrance ought still to be presented, after the exchange of ratifications, as a protest against the principle, etc.

TO OLIVER WOLCOTT

NEW YORK, Sept. 20, 1795.

MY DEAR SIR:

A slight indisposition prevented my meeting you at E. Town, which I should otherwise have done with great pleasure.

It is wished for a particular purpose to know who are the writers of *Valerius*, *Hancock*, *Belisarius*, *Aticus*. If any thing about them is known in a manner that can be depended upon, I will thank you for it in confidence.

The fever in this town has become serious. The alarm, however, exceeds the quantum of disease and danger. It is not ascertained that the fever is contagious. It is clearly traced to local causes, but it is sufficiently mortal. Bleeding is found fatal. Most of our physicians purge more or less, some with calomel, I fear more than does good; bark, wine, etc., plentifully used, and with good effect. They, however, all behave well, and shrink not from their duty.

Show the last paragraph of this letter to Doctor Stevens, from whom, though I have written to him, I have not received a line since I came to New York.[1]

TO OLIVER WOLCOTT

NEW YORK, Oct. 3, 1795.

MY DEAR SIR:

I have received your letter of the ——, and thank you for the information. As to Randolph, I shall be surprised at nothing, but if the facts come out, his personal influence is at all events damned. No coloring will remove unfavorable impressions. To do mischief, he must work in the dark.

What you say respecting your own department

[1] Now first printed from the Wolcott papers, in the possession of the Connecticut Historical Society.

disquiets me, for I think we shall, for the present, weather all storms but those from real deficiencies in our public arrangements. Not knowing details, I can attempt to suggest nothing, except the general observation, that if the means heretofore provided, are seriously likely to prove inadequate, Congress ought to be explicitly told so, in order to a further provision. It was a maxim in my mind, that executive arrangements should not fail for want of full disclosure to the Legislature. Then, if adequate provision be not made, the responsibility is theirs. The worst evil we can struggle with is inefficiency in the measures of government.

If I remember right, it never appeared that Fauchet had any power to make a commercial treaty with us, and the late Attorney-General (Bradford) informed me that *Adet* had power only *to treat*, none *to conclude*. How are these things? I ask for special reasons.[1]

What is the object of the dispatch-boat from France? Nothing menacing, I hope.

[1] Col. Pickering writes Wolcott in reference to the above:

"October 6, 1795.

"DEAR SIR:—Mr. Taylor informs me that Mr. Fauchet never to his knowledge made even any overtures relative to a treaty of any kind. I have cast my eye over those of Mr. Adet, by which it appears, that he is authorized to digest with the American Government a new treaty of commerce and a new consular convention, but not to conclude any thing. Mr. Randolph agreed to meet him on this ground. If the articles digested should meet the approbation of the respective governments, they might give full powers to constitute of these articles the proposed new treaties.

"Sincerely yours,

"T. PICKERING."

TO OLIVER WOLCOTT

NEW YORK, Oct. 3, 1795.

DEAR SIR:

I have received your letter of the 6th instant.

I am of opinion that the commissioners to be appointed under the seventh article are competent to grant relief, in all cases of captures and condemnations of our property, during the present war, and antecedent to the treaty, which were *contrary to the laws of nations*, and in which there is *adequate evidence* (of which they are to judge *bona fide*), that compensation could not, at the time of the treaty, for *whatever reason*, be actually obtained. I think their power competent to relief, *after* a decision, *in the last resort;* that is, by the Lords Commissioners of Appeals, and if the proper steps have been taken to ascertain that justice cannot be had, in the ordinary course of justice, *before* and *without* such decision.

This opinion is founded upon the following reasons:

Firstly.—The subject of complaint to be redressed is *irregular* or *illegal* captures or *condemnations*. The word "condemnations" is general. It is not restricted to condemnations in the inferior courts, or in the final Court of Appeals. It may then apply to either. Condemnation *in the last resort* may have been had prior to the treaty. There being no restriction, they, like those in inferior tribunals, were equally within the terms of complaint. But could they be *illegal?* Yes, in controversies between nations, respecting the application of the rules of the laws of nations, decisions of the highest court of one of the parties, if contrary to those rules, are illegal.

In other words, they are contrary to that law, which is the standard of legality and illegality between nations; and, if manifestly so, are a cause of war. Moreover, this rule of legality or illegality, is recognized by the article itself, in that part which authorizes the commissioners to decide according to the merits of the several cases, to justice, equity, *and the law of nations.*

Secondly.—The article contemplates that "*various circumstances*" may obstruct compensation in the ordinary course of justice. These terms would not be fully satisfied by tying the article down, as has been attempted, to cases of insolvency and absconding.

Thirdly.—The article expressly declares, that when compensation cannot, "*for whatever reason,*" be had in the ordinary course of justice, it shall be made by the British Government upon the award of the commissioners. It is inadmissible to narrow down these very comprehensive terms to the two cases of *insolvency* or *absconding.* They are commensurate with every cause of irregularity or illegality, pronounced such by the laws of nations. The exceptions of manifest delay, or negligence, or willful omission, confirm the extensive interpretation.

Fourthly.—The commissioners are not restricted in the description of cases they are to take up; and they are to decide them according to their *merits*, to *justice*, *equity*, and the *laws of nations.* These terms are as latitudinary as they could be made. They seemed formed on purpose to overrule any technical difficulties, with regard to local tribunals, or positive rules of decision in those tribunals.

Fifthly.—The nature of the circumstance which led to the article, and which involved a controversy between the two nations, respecting the rules of the laws of nations, as well as the application of those rules. The natural presumption is that it was meant to refer this controversy, in all its latitude, to the extraordinary tribunal created; to transfer the right of judgment of each nation, which, being exercised differently, might have ended in war, to that tribunal. Any thing less than this would be inadequate to the origin of the business, to the solemnity of the provision, or to the views which, from the facts, must be conceived to have governed the parties.

All this appears so clear to me that I confess I am confounded at an opinion which I have seen of Messrs. Lewis and Rawle. They seem to pare away the object of the articles to the two cases mentioned above, founding their opinion upon the maxim that the courts of the belligerent power are the competent tribunals to decide similar questions between that power and a neutral nation.

This maxim is true, but how can it be deemed to apply to the instance of a controversy between two nations about the interpretation of the laws of nations, and about the decisions of courts founded upon an interpretation concerning which they disagreed? And this when an extraordinary tribunal has been constituted by the joint acts of the two parties, to decide their differences plainly as a substitute for a controversy by arms? Is not the constitution of such a tribunal by the two parties a manifest abandonment of the pretension of one to administer

[illegible] its tribunals? How can it [illegible] such a proceeding, that the neu- [illegible] to be concluded by the decisions of [illegible] Is not the reverse the obvious pre- [illegible] Why else was it not left to the British [illegible] Admiralty to liquidate the damages in [illegible] cases of insolvency and absconding to [illegible] by the government? These circumstances [illegible] for a substitute only in the *person to pay*, [illegible] the person, or tribunal, *which was to liquidate*. [illegible] was no need, on the principle set up, for an ex- [illegible] tribunary tribunal to liquidate and award damages.

I confess that the opinion referred to appears to [illegible] destitute of color; contrary to the antecedent course of the transaction, contrary to the positive expressions of the article, and to what can reasonably be presumed to be the intention of the parties. It fritters away to nothing a very solemn and important act between two contending nations.

The exception of the cases in which justice might be obtained, in the ordinary course, appears to me to decide nothing. It might be unobtainable in that course as well from the obstructions of positive regulations of the belligerent parties controlling the courts, and from false principles adopted by the courts, as from the inability or default of the captors. The commissioners, who are the *court of the two nations*, are to pronounce whether justice is unobtainable in the ordinary course for any of these reasons. As the tribunals of both parties, they are necessarily superior to the tribunals of either. And they are the judges, in their own way, and upon their own grounds,

of the question whether and when justice can or cannot be obtained in the ordinary course.

But they ought to exercise their discretion reasonably—not to abuse it, otherwise they may release the party injured from the obligation to perform.

Hence, though it is not necessary that every *individual case* of capture should be prosecuted to a decision *in the last resort*, it appears to me proper that, by such prosecution of some *one case* of the several classes of cases, it may be ascertained, by a final decision on the principle of each class, that redress cannot be obtained. Else the commissioners may object that there has been a neglect to procure for them satisfactory evidence that justice could not be had in the ordinary course.

I would advise, then, that our agent be instructed to lay all the cases, with the evidence, before our counsel, and to desire them to make a selection of one of each class in which a defence can be made with probability of success, on some difference of principle; to have these cases prosecuted to an ultimate decision, and to leave all the rest pending, if possible, undecided in a course of appeal. This will give reasonable evidence to the commissioners, strengthened, in view of those appointed by the other party, by the character of our counsel, who, I learn, are every way men of respectability.

The other points in your letter I shall pursue hereafter.

P. S.—In a consultation on an insurance case between our district attorney, Mr. Burr, B. Livingston,

and myself, the above points incidentally occurred, and I understood all these gentlemen as agreeing in the opinion I have stated. You are at liberty to communicate this to Mr. Pickering.

TO WASHINGTON

NEW YORK, Oct. 16, 1795.

SIR:

About a fortnight since arrived here Mr. Frestel, with G. W. Fayette, the son of the marquis. The former, who is in capacity of tutor to the latter, requested me to mention their arrival to you, and that they meant to retire to some place in the neighboring country until they should receive some direction from you. Thus, at least, I understood him, and accordingly they are gone to a house between Hackensack and Ramapo, in the Jerseys, to which may be conveyed any letter you may confide to me for them. They are *incog.*

Having been informed you were speedily expected from Philadelphia, and being oppressed with occupation, I delayed writing till this time.

Mr. Frestel, who appears a very sedate, discreet man, informs me that they left France with permission, though not in their real characters, but in fact with the privity of some members of the Committee of Safety who were disposed to shut their eyes and facilitate their departure.

The young Fayette also appears to me very advantageously modest, of very good manners, and expressing himself with intelligence and propriety.

Shall I trespass on your indulgence by hazarding a

sentiment upon the subject of this young gentleman? If I do, let it be ascribed to the double interest I take in the son of the marquis, and in whatever interests the good fame and satisfaction of him to whom I write.

On mature reflection, and on sounding opinions as far as opportunity and the nature of the case have permitted, I fully believe that the President need be under no embarrassment as to any good offices his heart may lead him to perform towards this young man. It will not, I am persuaded, displease those in possession of the power of the country from which he comes, and in ours it will be singularly and generally grateful. I am even convinced that the personal and political enemies of the President would be gratified, should his ideas of the policy of the case restrain him from that conduct which his friendship to the marquis and his feelings otherwise would dictate. The youth of this person, joined to the standing of his father, make the way easy.

I even venture to think it possible that the time is not very remote when the marquis will again recover the confidence and esteem of his country, when perhaps the men in power may be glad to glorify themselves and their cause with his alliance. This, however, is supposition, merely to be indulged as a reflection, not to be counted upon as a fact.

There is another subject upon which I will hazard a few words. It is that of Mr. Randolph. I have seen the intercepted letter, which, I presume, led to his resignation. I read it with regret, but without much surprise, for I never had any confidence in Mr. Randolph, and I thought there were very suspicious

appearances about him on the occasion to which the letter particularly refers.

I perceive that, rendered desperate, he meditates as much mischief as he can. The letter he calls for, I presume, is that above alluded to. His object is, if he obtains it, to prejudice others; if any part is kept back, to derive advantage to his cause from the idea that there may be some thing reserved which would tend to his exculpation, and to produce the suspicion that there is some thing which you are interested to keep from the light.

Though, from the state of public prejudices, I shall probably for one be a sufferer by the publication; yet, upon the whole, I incline to the opinion that it is most advisable the whole should come before the public. I acknowledge that I do not express this opinion without hesitation, and therefore it will deserve, as it will no doubt engage, your mature reflection; but such is the present bias of my judgment. I am the more inclined to the opinion, as I presume that the subject being in part before the public, the whole letter will finally come out through the quarter by which it was written, and then it would have additional weight to produce ill impressions.

With great respect and affectionate attachment, I have the honor to be, etc.

TO WASHINGTON

NEW YORK, Oct. 26, 1795.

SIR:

I have noticed a piece in the *Aurora*, under the signature of the "Calm Observer," which I think re-

quires explanation, and I mean to give one with my name.[1] I have written to Mr. Wolcott for material from the books of the treasury.

Should you think it proper to meet the vile insinuation in the close of it, by furnishing for one year the account of expenditure of the salary, I will with pleasure add what may be proper on that point. If there be any such account signed by Mr. Lear, it may be useful.

I wrote to you some days since, directed to you at Philadelphia, chiefly on the subject of young La Fayette. I mention it merely that you may have knowledge that there is such a letter, in case it has not yet come to hand.

I touched in it upon a certain *intercepted* letter. The more I have reflected, the more I am of opinion that it is advisable the whole should speedily appear.

TO OLIVER WOLCOTT

NEW YORK, Oct. 26, 1795.

DEAR SIR:

I have observed in the *Aurora*, a piece under the signature of "A Calm Observer," which I think merits attention. It is my design to reply to it, with my name, but for this I wish to be furnished, *as soon as possible*, with the account of the President, and of the appropriations for him, as it stands in the Secretary's office, the Comptroller's, and the account rendered to Congress, and also the account of appropriations for this object. Of one point I am

[1] This reply was duly published. See above, "The Explanation," vol. viii., p. 122.

sure—that we never exceeded the *appropriations*, though we may have anticipated the *service*. Add any remarks you may judge useful. The sooner the better.

TO OLIVER WOLCOTT

NEW YORK, Oct. 27, 1795.

DEAR SIR:

I wish the statements requested in my letter of yesterday may contain each particular payment, not aggregates for periods. It runs in my mind that once, there being no appropriation, I procured an informal advance for the President from the bank. If this is so, let me know the time and particulars. If the account has been wound up to an exact adjustment, since the period noticed by the "Calm Observer," it may be useful to carry it down to that period.

I should like to have a note of other instances of advances on account of salaries.

TO OLIVER WOLCOTT

NEW YORK, Oct. 30, 1795.

DEAR SIR:

I wrote you yesterday for a statement of the advances and appropriations for the Department of State.

I am very anxious that *Fauchet's* whole letter should appear just as it is. Strange whispers are in circulation of a nature foreign to truth, and im-

plicating honest men with rascals. Is it to come out? Can't you send me a copy? I will observe any condition you annex.

The secret journals, and other files of the Department of State, will disclose the following facts:

That during the war a commission to negotiate a treaty of commerce with Great Britain, was given to Mr. Adams, and afterwards revoked.

That our commissioners for making peace were instructed to take no step whatever, without a previous consultation with the French ministry, though there was at that time reason to believe that France wished us to make peace, or truce, with Great Britain, without an acknowledgment of our independence, that she favored a sacrifice to Spain of our pretensions to the navigation of the Mississippi, and the relinquishment of a participation in the fisheries.

It will appear that instructions were actually given to Mr. Jay to yield the navigation of the Mississippi to Spain, in consideration of an acknowledgment of our independence; that Mr. Jay made a proposal accordingly, but clogged with some condition or qualification to bring it back to Congress before a final conclusion, and expostulated with Congress against the measure.

It will appear that this was effected by a Southern party, who would also have excluded the fisheries from being an ultimatum, in which they were opposed by the North, who equally contended for Mississippi and fisheries.

It will appear that Chancellor Livingston, as Secretary of State, reported a censure on our

commissioners for breaking their instructions in the negotiations for peace.

It will appear that shortly after the arrival in this country of the preliminary articles, I made a motion in Congress to renew the commission to negotiate a treaty of commerce with Great Britain, that a committee was appointed to prepare one, with instructions, of which Mr. Madison was one, and that the committee never reported.

Thus stand the facts in my memory.

It is very desirable, now that a free access to the files of the department can give the evidence, to examine them accurately; noting times, places, circumstances, actors, etc. I want this very much for a public use, in my opinion essential.

It would also be useful to have a copy of Mr. Jefferson's letter to Congress concerning the transfer of the French debt to private money-lenders, on which the report of the Board of Treasury is founded.

Nov. 12th. This letter, by accident, has lain in my desk since it was written. I send it still. Bache's paper of the eleventh has a VALERIUS, which I think gives an opportunity of oversetting him. The leading ideas may be:

Firstly.—He discloses the object of the party to place Mr. Jefferson in contrast with the President.

Secondly.—He discloses the further object—an intimate and close alliance with France—to subject us to the vortex of European politics, and attributes it to Mr. Jefferson.

Thirdly.—He misrepresents totally Mr. Jefferson's returning from France.

A solid answer to this paper, *with facts*, would do great good.

TO WASHINGTON

NEW YORK, Nov. 5, 1795.

SIR:

I received on the second instant your two letters of the 29th of October with the enclosures. An answer has been delayed to ascertain the disposition of Mr. King, who, through the summer, has resided in the country, and is only occasionally in town. I am now able to inform you *he would not accept*. Circumstances of the moment conspire with the disgust which a virtuous and independent mind feels at placing itself *en but* to the foul and venomous shafts of calumny which are continually shot by an odious confederacy against virtue, to give Mr. King a decided disinclination to the office.

I wish, sir, I could present to you any useful ideas as a substitute; but the embarrassment is extreme as to the Secretary of State. An Attorney-General, I believe, may easily be fixed upon by a satisfactory choice. Either Mr. *Dexter* or Mr. *Gore* would answer. They are both men of undoubted probity. Mr. Dexter has most *natural* talent, and is strong in his particular profession. Mr. Gore, I believe, is equally considered in his profession, and has more various information. No good man doubts Mr. Gore's purity, but he has made money by agencies for British houses in the recovery of debts, etc., and by operations in the funds, which a certain party

object to him. I believe Mr. Dexter is free from every thing of this kind. Mr. King thinks *Gore* on the whole preferable. I hesitate between them. Either will, I think be a good appointment.

But for a Secretary of State, I know not what to say. *Smith*, though not of full size, is very respectable for talent, and has pretty various information. I think he has more *real talent* than the last incumbent of the office. But there are strong objections to his appointment. I fear he is of an uncomfortable temper. He is popular with no description of men, from a certain *hardness* of character; and he, more than most other men, is considered as tinctured with prejudices towards the British. In this particular his ground is somewhat peculiar. It may suit party views to say much of other men, but more in this respect is *believed* with regard to Smith. I speak merely as to *bias* and *prejudice*. There are things, and important things, for which I would recommend Smith—thinking well of his abilities, information, industry, and integrity; but, at the present juncture, I believe his appointment to the office in question would be unadvisable.

Besides, it is very important that he should not now be removed from the House of Representatives.

I have conferred with Mr. King with respect to Mr. Potts. We both think well of his principles and consider him as a man of good sense. But he is of a cast of character ill-suited to such an appointment, and is not *extensive* either as to talents or information. It is also a serious question whether the Senate at this time ought to be weakened.

Mr. Innis, I fear, is too absolutely lazy for Secretary of State. The objection would weigh less as Attorney-General.

The following characters, in the narrowness of the *probable* circle as to willingness, have occurred to me. Judge Pendleton, of Georgia; Mr. Desaussure (late Director of the Mint), of South Carolina; Governor Lee, or Mr. Lee, late Collector of Alexandria, of Virginia; McHenry, of Maryland—*I mean the Doctor.*

Judge Pendleton writes well, is of respectable abilities, and a gentleman-like, smooth man. If I were sure of his political views, I should be much disposed to adopt his appointment under the circumstances, but I fear he has been somewhat tainted with the prejudices of Mr. Jefferson and Mr. Madison, and I have afflicting suspicions concerning these men. Desaussure, I believe, has considerable talents, is of gentleman-like manners, good views, and only wants sufficient standing to put him upon a footing with any attainable man.

Governor Lee[1] has several things for him and several against him. He ought to have a good secretary under him. His brother I only know enough of to think him worth considering.

McHenry you know. He would give no strength to the administration, but he would not disgrace the office. His views are good. Perhaps his health, etc., would prevent his accepting.

I do not know Judge Bee. I have barely thought of him.

In fact, a first-rate character is not attainable. A

[1] "Light-Horse Harry," of Virginia.

second-rate must be taken with good dispositions and barely decent qualifications. I wish I could throw more light. 'T is a sad omen for the government.

By the fifteenth I will carefully attend to the other parts of your letters. I regret that bad health and a pressure of avocations will permit nothing earlier.

TO WASHINGTON

NEW YORK, Nov. 19, 1795.

SIR:

Your letters of the 16th and 18th instant, with the enclosures, are received.

An extraordinary pressure of professional business has delayed my reply on the subject of young La Fayette, in which another cause co-operated. I wished, without unveiling the motives incidentally, to sound the impressions of other persons of judgment, who, I know, had been apprised of his being in the country.

The bias of my inclination has been that you should proceed as your letter of yesterday proposes, and I cannot say it is changed, though it is weakened. For I find that in other minds, and judicious ones, a doubt is entertained, whether at the actual crisis it would be prudent to give *publicity* to your protection of him. It seems to be feared that the factious might use it as a weapon to represent you as a favorer of the anti-revolutionists of France; and it is inferred that it would be inexpedient to furnish at this moment any aliment to their slanders.

These ideas have enough of foundation and im-

portance to make me question my own impressions, which, from natural disposition, are in similar cases much to be distrusted.

I shall therefore do nothing more at present than write to La Fayette and his preceptor to come to New York, and I shall forbear any definite communication to them till I hear further from you, after you have reflected on the information I now give.

Should you on reconsideration conclude on yielding to the doubt as a matter of greater caution, perhaps it will be then left for you to write to La Fayette a letter, affectionate as your feelings will naturally lead you to make it, announcing your resolution to be to him a parent and friend, but mentioning that very peculiar circumstances of the moment impose on you the necessity of deferring the gratification of your wishes for a personal interview, desiring him at the same time to concert with me a plan of disposing of himself satisfactorily and advantageously in the meantime. I shall with pleasure execute any commands you may give me on the subject. The papers respecting this matter are herewith returned. I shall without delay attend to all the others.

TO PICKERING

NEW YORK, Nov. 20, 1795.

MY DEAR SIR:

I duly received your letter of the 17th, which needed no apology as it will always give me pleasure

to comply with any wish of yours connected with the public service, or your personal satisfaction.

Good men, in the idea of your appointment to the office of Secretary of State, will find many consolations for your removal from one in which your usefulness was well understood.

I wish it was easy to replace you in the department you will leave. But this is a most difficult point.

I consider it as absolutely necessary that the person shall come from some State south of Pennsylvania. All the great offices in the hands of men from Pennsylvania northward, would do *the lord knows what mischief*. I speak as to public opinion. Hence I forbear any remarks on characters from that quarter.

Of those South, notwithstanding there are real and weighty objections, I incline on the whole to *Lee*.[1]

Of the others whom you present (and none others have occurred to me), whose qualifications are known to me, I believe I should prefer *Howard*.[2]

Yet I speak with hesitation, for I am afraid he is not enough a man of sense or business. But he is of perfect worth, is respectable in the community, and has reputation as a soldier.

There are others who would stand better as to talents, but temper or fairness of character is wanted. I do not know enough of Winden.

Since writing the above, Judge Pendleton, of

[1] Henry Lee, of Virginia.

[2] John Eagar Howard, a soldier of the Revolution, and Governor of Maryland. The Secretaryship of War was offered to him, and he declined.

Georgia, has occurred to me. He was a military man, Aide to General Greene, and esteemed by him. He is certainly a man of handsome abilities. I have, however, within a few days, heard that he had some agency in the purchase of the Georgia lands. If he has had any interested concern in this transaction, it would be an immense objection. Otherwise, if he would accept, all things considered, I should prefer him. He is tinctured with Jeffersonian politics, but I should be mistaken if, among good men and better informed, he did not go right.

I have received the French copy of a certain paper, and thank you for it. The translation you mention has not yet come to hand. I will with pleasure revise, if requisite, and correct it. I even wish for the opportunity; for, as you say, it much concerns me, and it is also very important to the public, and there are many nice turns of expression, which, to be rendered perfectly, demand a very critical knowledge of the language.[1]

TO RUFUS KING

December 14, 1795.

My Dear Sir:

An extraordinary press of occupation has delayed an answer to your letter on the subject of Mr. R.[2] Though it may come too late, I comply with your request as soon as I can.

[1] Now first printed from the Pickering papers, in the possession of the Massachusetts Historical Society.

[2] John Rutledge, of South Carolina, nominated by Washington for Chief-Justice of the United States, and rejected by the Senate on account of his habits and consequent mental condition.

The subject is truly a perplexing one; my mind has several times fluctuated. If there was nothing in the case but his imprudent sally upon a certain occasion, I should think the reasons for letting him pass would outweigh those for opposing his passage. But if it be really true that he is sottish, or that his mind is otherwise deranged, or that he has exposed himself by improper conduct in pecuniary transactions, the bias of my judgment would be to negative. And as to the fact, I would satisfy myself by careful inquiry of persons of character who may have had an opportunity of knowing.

It is now, and, in certain probable events, will still more be of infinite consequence that our judiciary should be well composed. Reflection upon this in its various aspects weighs heavily upon my mind against Mr. R. upon the accounts I have received of him, and balances very weighty considerations the other way.

P. S.—From what a Mr. Wadsworth, lately in Philadelphia tells me of a conversation between Burr, Baldwin, and Gallatin, it would seem that the two last gentlemen have made up their minds to consider the treaty, if ratified by Great Britain, as *conclusive upon the House of Representatives.* I thought it well this should be known to you, if not before understood from any other quarter.

TO WASHINGTON

NEW YORK, Dec. 24, 1795.

SIR:

I have received your letter of the ——.

Young La Fayette is now with me. I had before made an offer of money in your name, and have repeated it; but the answer is, that they are not as yet in want, and will have recourse when needed.

Young La Fayette appears melancholy, and has grown thin. A letter lately received from his mother, which speaks of some thing which she wishes him to mention to you (as I learn from his preceptor), has quickened his sensibility and increased his regret. If I am satisfied that the present state of things is likely to occasion a durable gloom, endangering the health, and in some sort the mind of the young man, I shall conclude, on the strength of former permission, to send him to you for a short visit; the rather, as upon repeated reflection, I am not able to convince myself that there is any real inconvenience in the step, and as there are certainly delicate opposite sides. But it will be my endeavor to make him content to remain away.

I have read with care Mr. Randolph's pamphlet. It does not surprise me. I consider it as amounting to a confession of guilt; and I am persuaded this will be the universal opinion. His attempts against you are viewed by all whom I have seen, as base. They will certainly fail of their aim, and will do good, rather than harm, to the public cause and to yourself. It appears to me that, by you, no notice can be, or ought to be, taken of the publication. It contains its own antidote.

I perceive that Mr. Fauchet, and with him Mr. Randolph, have imputed to me the having asked to *accompany you* on the Western expedition.

The true course of the fact was as follows: You had mentioned, and that early in the affair, *as a question for consideration*, the propriety and expediency of your going out with the militia. But no opinion had been given to you, and you had not announced any determination on the point when my letter to you, of the 19th of September, was written. That letter does not ask to *accompany you*, but to be permitted to go on the expedition. A short time after it was sent, you mentioned to me that you had concluded to go as far as Carlisle in the first instance, and to take your ulterior determination according to circumstances, and proposed to me to accompany you.

My request was independent of your going or not going. Its objects were—1st. That mentioned in my letter. 2d. An anxious desire that, by being present, I might have in my power, in a case *very interesting to my department*, as well as the government generally, to promote, in the event of your not going on the expedition, a course of conduct the best calculated to obviate impediments, and secure its object. I had serious fears of treachery in Governor Mifflin, and I thought that even Lee might miss the policy of the case in some particulars, etc., etc.

These were the considerations that determined me, and not the little cunning policy by which Mr. Fauchet supposes me to have been governed.

I greatly miscalculate if a strong and general cur-

rent does not now set in favor of the government on the question of the treaty.

TO TIMOTHY PICKERING

NEW YORK, Dec. 26, 1795.

DEAR SIR:

Mr. Cutting has given to me a perusal of his papers, respecting his agency in relieving our seamen from British impress. He wished my opinion *professionally* respecting the validity of his claim, which I declined to give, because it would contradict certain maxims I have prescribed to myself with regard to public questions pending while I was part of the administration.

But there are reasons which induce me to convey to you privately my view of the subject.

It appears to me clearly established that Mr. Cutting rendered a very meritorious and an important service to the United States. Its value is not to be estimated merely by the number of persons relieved, but by the influence of the exertion upon other cases—indeed, upon our trade generally with the English ports at the juncture. It is also a service very interesting to the feelings of all our citizens—and there was certainly much good zeal and address displayed upon the occasion. It sufficiently appears, too, that the nature of the case must have involved considerable expense, and in ways which frequently would not admit of after authentication.

Under these circumstances I feel a strong impression that it is of the policy, as well as of the justice

of the government, to go lengths in giving satisfaction to Mr. Cutting. 'T is a case which calls for liberality, not scrupulous or prying investigation. Mr. Cutting's own testimony from necessity ought to be received as to expenditures. This observation, to be sure, has reasonable limits. But still the case demands that the testimony should be received with influential effect.

Mr. Dorhman is an example of similar compensation in circumstances not unlike. Our own citizen has not an inferior claim.

What has been hitherto done for Mr. Cutting appears to be manifestly inadequate. If it could be supposed that there was risk of doing too much, it is of the reputation of the government that the error should be on that side. Care ought to be taken that a zealous citizen, who has rendered real service, should not be out of pocket, and out of reputation, too, by his bargain. I include a reasonable compensation for service, as well as reimbursement of expenses.

These ideas will, I am sure, be received as they are intended.

TO WASHINGTON

December, 1795.

SIR:

I have the pleasure to send you enclosed two letters—one from young Lafayette, the other from his preceptor. They appear reconciled to some further delay.

I take the liberty to enclose a copy of a letter to

the Secretary of State respecting Mr. Cutting. I do not know upon the whole what sort of a man Mr. Cutting is; but as to the particular subject of his claim, I really think it deserves an indulgent consideration, and that it is expedient and right to favor it to a liberal extent. Some reflections have made me think it advisable to place the matter under your eye. Neither the Secretary of State nor Mr. Cutting will be informed of this.

I wrote you a few lines two or three days ago in answer to your letter concerning Mr. Randolph's pamphlet.

TO RUFUS KING

January, 1796.

My Dear Sir:

If the newspapers tell truth, it would appear that Massachusetts has anticipated New York. But it is intended by our friends in the Legislature to give some pointed discountenance to the propositions. It was expected that it would have been done to-day, but by the divergings of some men who seek popularity with both sides, they have gotten into an unnecessary debate upon the proposition in detail, which will lose time; but in the result a handsome majority will do right.

Lawrence is hurt, and as far as I see, not without some reason, from particular circumstances, at being left out of the direction of the bank. It will be balm to his feelings to be put into the direction of the office here, and I believe it will be an improvement of the direction to do it. I wish you would

endeavor to bring it about. Speak to Bayard of our city and to Wharton of Philadelphia. This is a suggestion of my own, for Lawrence rather rides a high horse upon the occasion. Yours truly.

TO WASHINGTON

Jan. 19, 1796.

SIR:

The bearer of this letter is Doctor Bollman,[1] whom you have heard of as having made an attempt for the relief of the Marquis La Fayette, which very nearly succeeded. The circumstances of this affair, as stated by Doctor Bollman and Mr. Huger,[2] son of B. Huger, of South Carolina, deceased, who assisted, do real credit to the prudence, management, and enterprise of the doctor, and show that he is a man of sense and energy.

He appears to have been induced to think that he attempted a service which would strongly recommend him to the *favor* of this country, in which idea I have reason to believe that Mr. Pinckney, among others, encouraged him, and, as a consequence of it, he hopes for some civil employment under our government. His expectations of what he may begin with are not high, it being principally his object to

[1] Eric Bollman, M.D., a Hanoverian by birth, concerned, as here stated, in the effort to liberate La Fayette. Banished for this, he came to the United States, and was a friend of Burr, and mixed up in his conspiracy, after which he returned to Europe.

[2] Francis Kinloch Huger, whose father, Col. Benj. Huger, was killed in the war, at Charleston, in 1780. He returned after the affair at Olmutz and entered the army. He died in 1855, aged 81.

obtain some present provision in a way which may lead him, if he discovers talents, to some thing better. He appears to be a man of education, speaks several languages, converses sensibly, is of polite manners, and, I dare say, has the materials of future advancement.

I have not left him unapprised of the difficulties in his way, but he concludes to go to Philadelphia to ascertain what is, or is not possible, relying at least on a kind reception from you.

He brought me letters from Mr. and Mrs. Church, which speak handsomely of him. I believe they had a chief agency in promoting his undertaking.

P. S.—The doctor is a German.

TO WASHINGTON

NEW YORK, Feb. 25, 1796.

SIR:

The evening I had last the pleasure of seeing you, you asked my opinion whether any and what measures might be taken with the Senate with reference to the treaty with Great Britain, in the event of its not arriving before the adjournment of the Legislature.

I mentioned as a hasty thought, that I feared it would be impossible to detain them long in expectation of a treaty not arrived, but that it might be advisable, immediately after the adjournment, to notify another meeting, as little distant as might be compatible with reasonable time of notice.

On reflection this opinion appears to me not to be well founded as to the last point. I fear the first part will be found true, and that the body would not upon casualty remain many days together after the expiration of the session.

In place of the course which I at first mentioned I submit the following:

"That the Secretary of State write a letter to each member present and absent, announcing the expectation of the treaty, and that, when arrived, the Senate will be convened by a proclamation for a time not exceeding six weeks."

The letter of the Secretary of State to be sent by land, and by water also, to the most remote members, and when the proclamation for convening the Senate issues, the same be done, upon special expresses for the land conveyance, and having ready some swift-sailing vessel for the water conveyance.

With these precautions, I think six weeks' notice will be enough.

The President cannot specially convene the Senate without announcing that an *extraordinary occasion exists*. He had, when I left Philadelphia, no such *advice* of the treaty as would warrant the assertion, and even if he had, until it arrives there is a possibility of a miscarriage, which might prevent his having it ready to lay before the Senate at the time of meeting, if they should be convened upon contingency. These reflections have led to the change of opinion.

TO OLIVER WOLCOTT

March, 1796.

DEAR SIR:

Enclosed are two letters which I will thank you to send on. I have just seen Livingston's motion concerning instructions,[1] etc. My first impression is that the propriety of a compliance with the call, if made, is extremely doubtful. But much careful thought on the subject is requisite.

P. S.—I send you also a letter from Mrs. Church to Mr. Beaumete, which I will thank you to send to Mr. Talleyrand.[2]

TO WASHINGTON

NEW YORK, March 7, 1796.

SIR:

I found young La Fayette here, and delivered him your letter, which much relieved him. I fancy you will see him on the first day of April.

Mr. Livingston's motion in the House of Representatives concerning the production of papers, has attracted much attention. The opinion here of those who think, is that if the motion succeeds, it ought not to be complied with. Besides, that in a matter of such a nature the production of the papers cannot fail to start new and unpleasant game. It will be fatal to the negotiating power of the government if

[1] This was the demand for papers relating to the Jay treaty which caused so much discussion, and with which Washington finally declined to comply.

[2] Reprinted from *Administrations of Washington and Adams*, i., 310.

it is to be a matter of course for a call of either House of Congress to bring forth all the communications, however confidential.

It seems to me that some thing like the following answer by the President will be advisable:

"A right in the House of Representatives to demand and have, as a matter of course, and without specification of any object, all communications respecting negotiations with a foreign power, cannot be admitted without danger of much inconvenience. A discretion in the executive department how far and when to comply in such cases is essential to the due conduct of foreign negotiations and is essential to preserve the limits between the legislative and executive departments. The present call is altogether indefinite, and without any declared purpose. The Executive has no basis on which to judge of the propriety of a compliance with it, and cannot, therefore, without forming a very dangerous precedent, comply.

"It does not occur that the view of the papers asked for can be relative to any purpose of the competency of the House of Representatives but that of an impeachment. In every case of a foreign treaty, the grounds for an impeachment must primarily be deduced from the nature of the instrument itself, and from nothing extrinsic. If at any time a treaty should present such grounds, and it shall have been so pronounced by the House of Representatives and a further inquiry shall be necessary to ascertain the culpable person, there being then a declared and ascertained object, the President would attend

with due respect to any application for necessary information."

This is but a hasty and crude outline of what has struck me as an eligible course. For, while a too easy compliance will be mischievous, a too peremptory and unqualified refusal might be liable to just criticism.

TO WILLIAM SMITH[1]

March 10, 1796.

DEAR SIR:

I observe Madison brings the power of the House of Representatives in the case of the treaty into question. Is the agency of the House of Representatives on the subject *deliberative* or *executive?* On the sophism that the Legislature, and each branch of it, is *essentially deliberative*, and consequently must have discretion, will he, I presume, maintain the freedom of the House to concur or not.

But the sophism is easily refuted. The Legislature, and each branch of it, is *deliberative*, but with *various* restrictions; not with *unlimited discretion.* All the injunctions and restrictions of the Constitution, for instance, abridge its *deliberative* faculty, and leave it *quoad hoc*, merely executive. Thus the constitution enjoins that there shall be a fixed allowance for the judges, which shall not be diminished. The Legislature cannot, therefore, deliberate whether they will make a permanent provision, and when the allowance is fixed, they cannot deliberate whether they will appropriate and pay the money. So far

[1] William Smith, Member of Congress from South Carolina.

their deliberative faculty is abridged. The *mode* of raising and appropriating the money only remains matter of deliberation.

So, likewise, the constitution says that the President and Senate shall make treaties, and that these treaties shall be supreme laws. It is a contradiction to call a thing a law which is not binding. It follows that by constitutional injunction the House of Representatives quoad the stipulations of treaties, as in the case cited, respecting the judges, are not deliberative, but merely executive, *except as to the means of executing.*

Any other doctrine would vest the Legislature and each House with unlimited discretion, and destroy the very idea of a constitution limiting its discretion. The constitution would at once vanish.

Besides, the *legal* power to refuse the execution of a law is a *power to repeal it.* Thus, the House of Representatives must, as to treaties, concentre in itself the whole legislative power, and undertake, without the Senate, to repeal a law. For the law is complete by the action of the President and Senate.

Again. A treaty, which is a contract between nation and nation, abridges even the legislative discretion of the whole Legislature by the moral obligation of keeping its faith; *a fortiori*, that of one branch. In theory, there is no method by which the obligations of a treaty can be annulled but by mutual consent of the contracting parties, by ill-faith in one of them, or by a revolution of government, which is of a nature so to change the condition of parties as to render the treaty inapplicable.

TO RUFUS KING

NEW YORK, March 16, 1796.

MY DEAR SIR:

I thank you for your letter of the ——. My opinion on the resolution when it first appeared was that the President should answer in substance as follows, viz.:

"That it could not be admitted as a right of course in the House of Representatives to call for and have papers in the Executive department, especially those relating to foreign negotiations, which frequently embrace confidential matters. That, under all the circumstances, upon so indefinite a call, without any declared specific object, he did not think it proper nor consistent with what he owed to a due separation of the respective powers to comply with the call. That if, in the course of the proceedings of the House, a question of their competency should arise, for which any of the papers in question might be necessary, an application made on that ground would be considered with proper respect," etc.

But after what has taken place in the discussion, if it can with propriety be got in as to form, I think a stand ought to be made by the President against the usurpation. The following propositions comprise an obvious ground.

I.—The Constitution empowers the President, with the Senate, to make treaties.

II.—A treaty is a perfected compact between two nations, obligatory on both.

III.—That cannot be a perfect contract or treaty to the validity of which the concurrence of any other

power in the State is constitutionally necessary. Again:

IV.—The Constitution says a treaty is a *law*.

V.—A law is an obligatory rule of action prescribed by the competent authority. But—

VI.—That cannot be such a rule of action, or *law*, to the validity of which the assent of any other person is requisite. Again:

VII.—The object of the *legislative* power is to prescribe a rule of action for our own nation, which includes foreigners coming among us.

VIII.—The object of the treaty power is, by agreement, to settle a rule of action between two nations, binding on both.

IX.—These objects are essentially different and, in a constitutional sense, cannot interfere.

X.—The treaty power binding the *will* of the nation, must, within its constitutional limits, be paramount to the legislative power, which is that will; or, at least, the last *law* being a treaty must repeal an antecedent contrary law. And,

XI.—If the legislative power is competent to repeal this law by a subsequent law, this must be the whole legislative power, by a solemn act in the forms of the Constitution, not one branch of the legislative power by disobeying the law.

XII.—The foregoing construction reconciles the two powers, and assigns them distinguishable spheres of action; while

XIII.—The other construction, that claiming that a right of assent is a sanction for the House of Representatives, destroys the treaty, making power-

less and negative two propositions in the Constitution, *to wit:* 1. That the President, with the Senate, is competent to make treaties. 2. That a treaty is a law.

On these grounds, with the President's name a bulwark not to be shaken is erected. The propositions, in my opinion, amount to irresistible demonstration.

TO WASHINGTON

NEW YORK, March 24, 1796.

SIR:

I had the honor to receive yesterday your letter of the 22d. The course you suggest has some obvious advantages, and merits careful consideration. I am not, however, without fear that there are things in the *instructions* to Mr. Jay—which good policy, considering the matter *externally* as well as *internally*, would render it inexpedient to communicate. This I shall ascertain to-day. A middle course is under consideration—that of not communicating the papers to the House, but of declaring that the Secretary of State is directed to permit them to be *read* by the *members individually*. But this is liable to a great part of the objections which militate against a full public disclosure. I throw it out, however, here, that you may be thinking of it, if it has not before occurred. In the course of this day, I shall endeavor to concentre my ideas, and prepare some thing, the premises of which may be in any event proper, admitting of the conclusion being modified and adapted to your eventual determination.

TO WASHINGTON

March 26, 1796.

SIR:

I perceive by the newspaper that the resolution has been carried. I have not been idle as far as my situation would permit, but it will not be in my power, as I had hoped, to send you what I am preparing by this day's post; the next will carry it. It does not, however, appear necessary that the Executive should be in a hurry.

The final result, in my mind, for reasons I shall submit in my next, is that the papers ought all to be refused. I am persuaded that the communication of the instructions in particular would do harm to the President and to the government.

TO WASHINGTON

March 28, 1796.

SIR:

I am mortified at not being able to send you by this post a certain draft. But the opinion that reasons ought to be given, and pretty fairly, has extended it to considerable length and a desire to make it accurate as to *idea* and expression keeps it still upon the anvil. But it is so far prepared that I can assure it by to-morrow's post. Delay is always unpleasant. But the case is delicate and important enough to justify it.

I mentioned as my opinion, that the instructions to Mr. Jay, if published, would do harm. The truth, unfortunately, is that it is in general a crude mass, which will do no credit to the administration. This

was my impression of it at the time, but the delicacy of attempting too much reformation in the work of another head of department, the hurry of the moment, and a great confidence in the person to be sent, prevented my attempting that reformation.

There are several particular points in it which would have a very ill effect to be published.

I.—There is a part which seems to admit the idea that an adjustment might be made respecting the spoliations which should leave that matter finally to the *ordinary course* of the British courts. This is obscurely and ambiguously expressed, but the least color for such a construction would give occasion for infinite clamor.

II.—The negotiator is expressly instructed to accede to the *entire abolition of alienism* as to inheritances of land. You have seen what clamor has been made about the moderate modification of this idea in the treaty, and can thence judge what a load would fall on this part of the instructions.

III.—He is instructed to enter into an article against the employment of privateers in war. This is manifestly against the policy of a country which has no *navy* in a treaty with a country which has a large navy. For it is chiefly by privateers that we could annoy the trade of Great Britain. Some would consider this as a philosophic whim; others as an intentional sacrifice of the interests of this country to Great Britain.

IV.—There are several parts which hold up the disreputable and disorganizing idea of not being able to *restrain our own citizens*.

V.—There are parts the publication of which, though proper to our own agent, would be a violation of decorum towards Great Britain, after an amicable termination of the affair, and offensive because contrary to the rules of friendly and respectful procedure.

VI.—The instructions have too little point (in the spirit of the framer, who was in the habit of saying much and saying little), and would be censured as altogether deficient in firmness and spirit.

On the whole, I have no doubt that the publication of these instructions would do harm to the Executive, and to the character and interest of the government.

The draft will be so prepared as to admit of this conclusion.

If the President concludes to send papers, they ought only to be the *commissions*, and Mr. Jay's *correspondence*, saying that these are all that it appears to him for the public interest to send.

But he may be then prepared for as much clamor as if he had sent none. It would be said that what was done showed that the principle had not been the obstacle—and that the instructions were withheld because they would not bear the light. Or, at most, only that part of the instructions should go which begins at these words, "4. This enumeration presents, generally, the objects which it is desirable to comprise in a commercial treaty," etc., to the end of the instructions.

But after the fullest reflection I have been able to give the subject (though I perceive serious degrees of inconveniencies in the course), I entertain a final

opinion that it will be best, after the usurpation attempted by the House of Representatives, to send none, and to resist in totality.

TO WASHINGTON

March 29, 1796.

DEAR SIR:

I wish the enclosed [1] could have been sent in a more perfect state. But it was impossible. I hope, however, it can be made out and may be useful. It required some time to say all that was proper in a more condensed form. In considering the course to be pursued by the President, it may be well he should be reminded, that the same description of men who call for the papers have heretofore maintained, that they were not bound by any communication in confidence, but were free afterwards to do as they pleased with papers sent them.[2]

TO WASHINGTON

NEW YORK, April 2, 1796.

SIR:

The express is this morning gone off with your letter to young La Fayette. I foresaw when in Philadelphia a certain machination on the subject.

I rejoice at the decision you have come to in regard to the papers. Whatever may happen, it is right in itself, will elevate the character of the President,

[1] Draft of an answer to the request of the House of Representatives for papers. See above, vol. viii., p. 161.

[2] Reprinted from the *History of the Republic*, vi., 377.

and inspire confidence abroad. The contrary would have encouraged a spirit of usurpation, the bounds of which could not be foreseen.

If there is time, I should like to have back the paper lately sent to correct, prune, guard, and strengthen—I have no copy. But of the expediency of this the circumstances on the spot will decide. There is great fitness in the message to the House. I see only one point the least vulnerable, the too direct notice of the debate in the House—which may be attacked as contrary to parliamentary usage. I hear the criticism here among the L——s.[1] But this cannot be very material.

TO RUFUS KING

April 2, 1796.

Thank you for yours of yesterday. I have no copy of the paper sent: the greatest part went in the original draft, though considerably reformed according to joint ideas, and somewhat strengthened by new thoughts. A letter I have received tells me that it came to hand after the ground which was acted upon had been formally considered and taken in council, and that it is referred for future use in the event of an expected criticism of the message.

I have asked for it *conditionally*, to prune, correct, etc. If I get it you shall have a copy. But you must take care that there is no crossing of paths.

[1] Livingstons.

TO WASHINGTON

NEW YORK, April 9, 1796.

SIR:

It gives me great pleasure to have the opportunity of announcing to you one whom I know to be interesting to you as a bearer of this—Mr. Motier La Fayette. I allow myself to share, by anticipation, the satisfaction which the meeting will afford to all parties—the more, as I am persuaded, that time will confirm the favorable representation I have made of the person, and justify the interest you take in him.

I have pleasure, also, in presenting to you Mr. Frestel, who accompanies him, and who more and more convinces me that he is entirely worthy of the charge reposed in him, and every way entitled to esteem.

TO RUFUS KING

NEW YORK, April 15, 1796.

MY DEAR SIR:

A letter by yesterday's post from our friend Ames,[1] informed me that the majority (fifty-seven concurring) had resolved in a private meeting to refuse appropriation for the treaty. A most important crisis ensues. Great evils may result, unless good men play their card well and with promptitude and decision. For we must seize and carry along with us the public opinion, and loss of time may be loss of every thing.

[1] Fisher Ames, of Massachusetts.

To me our true plan appears to be the following (I pre-suppose that a certain communication has been made):

1st. The President ought, immediately after the House has taken the ground of refusal, to send them a solemn protest. This protest ought to contain reasons in detail against the claim of the House in point of constitutional right, and ought to suggest summarily, but with solemnity and energy, the danger to the interest and peace of the country from the measures of the House, the certainty of a deep wound to our character with foreign nations, and essential destruction of their confidence in the government, concluding with an intimation that in such a state of things he must experience extreme embarrassment in proceeding in any pending or future negotiations which the affairs of the United States may require, inasmuch as he cannot look for due confidence from others, nor give them the requisite expectation that stipulations will be fulfilled on our part.

A copy of this protest to be sent to the Senate for their information. The Senate, by resolutions to express strongly their approbation of his principles, to assure him of their firm support, and to advise him to proceed in the execution of the treaty on his part in the confidence that he will derive from the virtue and good sense of the people, constitutionally exerted, eventual and effectual support, and may still be the instrument of preserving the Constitution, the peace, and the honor of the nation.

Then the merchants to meet in the city, and

second by their resolutions the measures of the President and Senate, further addressing their fellow-citizens to co-operate with them. Petitions afterwards to be handed throughout the United States.

The Senate to hold fast, and consent to no adjournment till the expiration of the term of service of the present House, unless provision made.

The President to cause a confidential communication to be made to the British minister, stating candidly what has happened, his regrets, his adherence nevertheless to the treaty, his resolution to persist in the execution, as far as depends on the Executive, and his hope that the faith of the country will be eventually preserved.

I prefer that measures should begin with a protest of the President, as it will be in itself proper, and there will be more chance of success if the contest appears to be with him and the Senate auxiliaries than in the reverse.

But in all this business, celerity, decision, and an imposing attitude are indispensable. The glory of the President, the safety of the Constitution—the greatest interests—depend upon it. Nothing will be wanting here. I do not write to the President on the subject.

An idea has come from *Cooper* of an intention in our friends in the House of Representatives to resist the execution of the other treaties—the Spanish and Algerine—unless coupled with the British. But this will be altogether wrong and impolitic. The misconduct of the other party cannot justify in us an imitation of their principles. 'T is best, I think, that

the first course should be given to the other treaties. Or at most, if a *feint* of opposition is deemed advisable, it ought to be left to the Senate by postponement, etc. But even this is very delicate and very questionable.

Let us be *right*, because to do right is intrinsically proper, and I verily believe it is the best means of securing final success. Let our adversaries have the whole glory of sacrificing the interests of the nation.

P. S.—If the treaty is not executed, the President will be called upon, by regard to his character and the public good, to *keep his post* till another House of Representatives has pronounced.

TO RUFUS KING

NEW YORK, April 18, 1796.

DEAR SIR:

I thank you for your letter received to-day. Our merchants here are not less alarmed than those of Philadelphia, and will do all they can. All the insurance people meet to-day. The merchants and traders will meet to-morrow or the next day. A petition will be prepared and circulated among the other citizens.

I regret that a certain communication was not made. Indeed, I think that the Executive will be hereafter blamed for keeping back the fact in so critical a posture of things.

TO RUFUS KING

April 20, 1796.

DEAR SIR:

Yesterday's post brought me a letter from you, which gave me pleasure. The papers will apprise you of the proceedings of the merchants and traders here on yesterday. There is among them, also, "*un*exampled unanimity," and, as far as I can judge, the current is in our favor throughout the city. Persons to-day are going through the different wards.

P. S.—Our friends in the House will do well to gain time.

TO OLIVER WOLCOTT

NEW YORK, April 20, 1796.

DEAR SIR:

I have received your letter of the eighteenth instant. The money paid me for you shall be placed to your credit in the office of discount and deposit, as you desire.

The British ministry are as great fools or as great rascals as our Jacobins, else our commerce would not continue to be distressed as it is by their cruisers; nor would the Executive be embarrassed as it now is by the new proposition.

Not knowing the precise form of that proposition, I cannot have an opinion what is right on the part of the Executive. But, if I understand it, it ought to be sufficient for the Executive to declare that the article in the treaty with the Indians can never

operate, nor will be permitted to operate, in contravention with the treaty of Great Britain. It relates to a right reserved for our benefit, which we can and will waive; and, being in a treaty of subsequent date, it naturally gives way to another of prior date, with which it is consistent. The Executive ought to be careful about admitting the propriety of a new condition, though it ought to be ready to give all due satisfaction. It should not even shun a new explanatory article, if reasonable in itself, but should agree to it upon the strength of its own reasonableness, not as a new condition foreign to the treaty. This affair requires great caution; but, as I said, I do not know enough to give advice worth much.

Yet the government must take care not to appear pusillanimous. I hope a *very serious* remonstrance has long since gone against the wanton impressment of our seamen. It will be an error to be too tame with this overbearing Cabinet.

Our city is in motion against the plan of the majority in the House of Representatives with regard to the treaty. The current appears to be strong with us. The papers will tell you the measures in contemplation.

But I was sorry to learn that a *proper qualified* communication was made to the House of Representatives of the late communication from the British agent. The Executive may hereafter be blamed for withholding so important a fact; yet, not knowing the whole affair, I cannot judge well on this point more than on the other.

TO RUFUS KING

April 23, 1796.

DEAR SIR:

I have received your two letters, and shall this day attend to the one which requires it. I see, however, no objection to it as it stands, and I do not now perceive how the further object you aim at could be accomplished in the manner you seem to desire.

I have written to *Ames* this day concerning the course of things in our city. He will communicate to you, as I have not time to repeat. We are decidedly well. But it is intended to-day to continue the petition in circulation, and to-morrow it will be sent. I have thought it advisable to publish an extract from your letter without naming you.

TO RUFUS KING

May 4, 1796.

DEAR SIR:

Since my last I have received two or three letters from you. The late turn of the treaty question makes us all very happy. I hope no future embarrassment will arise.

I am entirely of opinion that, Patrick Henry declining, Mr. Pinckney [1] ought to be our man. It is even an idea of which I am fond in various lights. Indeed, on latter reflection, I rather wish to be rid of Patrick Henry, that we may be at full liberty to take up Pinckney.

[1] Thomas Pinckney, of South Carolina. He was Minister to England, and had just concluded a treaty with Spain, securing the free navigation of the Mississippi.

In the event of Pinckney's return to this country, I am of opinion, all circumstances considered, it is expedient you should replace him. I hope no great question will in a short period agitate our councils, and I am sure you will do much good on the scene in question. I have called on Jay, but happened not to find him disengaged. I shall quickly see him, and shall, with great pleasure, do every thing requisite on my part.

We believe, confidently, our election in the city has succeeded; the other party, however, also claims success. Our Senator ticket seems admitted on both sides to have prevailed, and all accounts assure us of great success throughout the State. The *vile affair* of whipping Burke and McCredy made our election, in the view of the common people, a question between the rich and the poor. You will easily conceive how much this must have embarrassed and jeoparded.

TO TIMOTHY PICKERING

May 10, 1796.

DEAR SIR:

Inclosed is a letter which I will thank you to hand to its destination.

While I have my pen in my hand, give me leave to mention a particular subject to you. Mr. Pinckney, it is said, desires to return to the United States. In this case a successor will be wanted. If we had power to make a man for the purpose, we could not imagine a fitter than Mr. King.[1] He is tired of the

[1] Rufus King, who was appointed and accepted.

Senate, and I fear will resign at all events. I presume he would accept the mission to England. Can there be a doubt that it will be wise to offer it to him? [1]

TO WASHINGTON

NEW YORK, May 10, 1796.

SIR:

When last in Philadelphia you mentioned to me your wish that I should *re-dress* a certain paper which you had prepared. As it is important that a thing of this kind should be done with great care, and much at leisure, touched and re-touched, I submit a wish that as soon as you have given it the *body* you mean it to have, it may be sent to me. [2]

TO WASHINGTON

NEW YORK, May 20, 1796.

SIR:

A belief that the occasion to which they may be applicable is not likely to occur, whatever may have been once intended, or *pretended in terrorem*, has delayed the following observations in compliance with your desire, and which are now the result of conferences with the gentlemen you named.

The *precise form* of any *proposition* or *demand*

[1] Now first printed from the Pickering papers in possession of the Massachusetts Historical Society.

[2] "Copied from *Writings of Washington*. Whether it is an extract from, or the entire letter, is unknown to the editor." (Note by J. C. Hamilton.) The paper referred to is the "Farewell Address."

which may be made to or of the government, must so materially influence the course proper to be pursued with regard to such proposition or demand, that it is very difficult to judge by anticipation what would be fit and right. The suggestions which can be submitted must therefore be very general and liable to much modification, according to circumstances.

It would seem in almost any case advisable to put forward a calm exhibition of the views by which our government has been influenced in relation to the present war of Europe,—making prominent the great interest we have in peace, in our present infant state; the limitedness of our capacity for external effort; the much greater injury we should have suffered than good we could have done to France, by taking an active part with her; the probability that she would have derived more advantage from our neutrality than from our direct aid; the promptitude with which, while all the world was combined against her, we recognized the new order of things and the continuance of our treaties, and before any other power had done so; the danger to which we exposed ourselves in so doing; the fidelity with which we have adhered to our treaties, notwithstanding formal violations of certain parts of them on the other side; our readiness, to the utmost extent of our abilities, to discharge our debt without *hesitation in the earliest period of the revolution*, and latterly having facilitated an anticipated enjoyment of the balance; the zeal and confidence of our merchants, by which they are now creditors for very large sums to France; the patience with which we have seen infractions of our

rights; the peculiar nature of the war as it regarded the origin of our relations to France (quare?); the declaration of the war by France against the maritime powers; her incapacity for maritime effort and to supply our deficiency in that particular so as to render a war not absolutely ruinous to us; the early expectations given to us by her agents that we were not expected to become parties; the exposed state of our commerce at this time with an immense property of our merchants afloat, relying on the neutral plan which they have understood our government to be pursuing, even with the concurrence of France, at least without its opposition; the extreme mischiefs to us of a sudden departure from the plan, and the little advantage to France from our aid; the merely *peace* views which influenced our treaty with Great Britain; the nature of that treaty involved no ingredient of political connection reserving the obligation of our prior treaties; the commercial articles terminating in two years after the present war; nothing in it to change the nature of our relations with France. All this will, of course, require great caution and delicacy, so as not to compromise the dignity of the country or give umbrage elsewhere, and I think the observations ought to hold out the idea that, under all the circumstances of the case, the government of the country thought itself at full liberty consistently with its treaties with France, to pursue a neutral plan. And they ought to hold up strongly our desire to maintain friendship with France; our regret that any circumstance of dissatisfaction should occur; our hope that justice and reason will

prevail, and preserve the good understanding, etc. The conclusion of this preliminary exposition will be according to the nature of the proposition.

If it should claim a renunciation of the British treaty, the answer will naturally be that this sacrifice of the positive and recent engagements of the country is pregnant with consequences too humiliating and injurious to allow us to believe that the expectation can be persisted in by France, since it is to require a thing impossible, and to establish, as a price of the continuance of friendship with us, the sacrifice of our honor by an act of perfidy which would destroy the value of our friendship to any nation. That, besides, the Executive, if it were capable of complying with a demand so fatal to us, is not competent to it, it being the province of Congress, by a declaration of war, or otherwise, in the proper cases, to annul the operation of treaties.

If it should claim the abandonment of the articles of the present treaty respecting free ships, free goods, etc., the answer may be that our treaties with France are an entire work, parts of a whole; that nevertheless the Executive is disposed to enter into a new negotiation by a new treaty to modify them, so as may consist with a due regard to mutual interest and the circumstances of parties, and may even tend to strengthen the relations of friendship and good understanding between the two countries.

If the guaranty of the West Indies should be claimed, the answer may be, "that the decision of this question belongs to Congress, who, if it be desired, will be convened to deliberate upon it." I pre-

sume and hope they will have adjourned—for to gain time is every thing.

The foregoing marks the general course of our reflections. They are sketched hastily, because they can only be general ideas, and much will depend on minute circumstances.

I observe what you say on the subject of a certain diplomatic mission. Permit me to offer with frankness the reflections which have struck my mind.

The importance of our security, and commerce, and good understanding with Great Britain, renders it very important that a man *able* and not *disagreeable* to that government, should be there. The gentleman in question, equally with any who could go, and better than any willing to go, answers this description. The idea hinted in your letter will apply to every man fit for the mission, by his conspicuousness, talents, and dispositions. 'T is the stalking-horse of a certain party, and is made use of against every man who is not in their views and of sufficient consequence to attract their obloquy. If listened to, it will deprive the government of the services of the most able and faithful agents. Is this expedient? What will be gained by it? Is it not evident that this party will pursue its hostility at all events as far as public opinion will permit? Does policy require any thing more than that they shall have no real cause to complain? Will it do, in deference to their calumniating insinuations, to forbear employing the most competent men, or to entrust the great business of the country to unskilful, unfaithful, or doubtful hands? I really feel a conviction that it will be very dangerous

to let party insinuations of this kind prove a serious obstacle to the employment of the best qualified characters. Mr. King is a remarkably well-informed man, a very judicious one, a man of address, a man of fortune and economy, whose situation affords just ground of confidence;—a man of unimpeached probity where he is best known, a firm friend to the government, a supporter of the measures of the President —a man who cannot but feel that he has strong pretensions to confidence and trust.

I might enlarge on these topics, but I have not leisure, neither can it be necessary. I have thrown out so much in the fulness of my heart, and too much in a hurry to fashion either the idea or the expression as it ought to be. The President, however, will, I doubt not, receive what I have said—as it is meant, as dictated by equal regard to the public interest and to the honorable course of his administration.

TO OLIVER WOLCOTT

May 30, 1796.

DEAR SIR:

I perceive Congress are invading the Sinking Fund system. If this goes through, and is sanctioned by the President, the fabric of public credit is prostrate, and the country and the President are disgraced. Treasury bills, and every expedient, however costly, to meet exigencies, must be preferable, in the event, to such an overthrow of system.

TO JAMES McHENRY [1]

NEW YORK, June 1, 1796.

MY DEAR MC.:

I am told the Executive Directory have complained of Mr. ——, our consul at ——. Perhaps the complaint may be ill-founded, but perhaps also he was indiscreet in giving color for it. Admit too that he is a good man, yet we must not quarrel with France for *pins and needles*. The public temper would not bear any umbrage taken, where a trifling concession might have averted it. 'T is a case for temporizing, reserving our firmness for great and necessary occasions. Let Mr. —— be superseded with a kind letter to him. I do not write to Pickering, or the President, because I am not regularly possessed of the information, but I hope you will attend to the matter, even at the expense of being a little officious.

TO WASHINGTON

NEW YORK, June 1, 1796.

SIR:

Your letter of the 29th was delivered me by Mr. King yesterday afternoon. I thought I had acknowledged the receipt of the paper inquired for in a letter written speedily after it—or in one which transmitted you a draft of a *certain letter* by Mr. Jay. I hope this came to hand.

I am almost afraid to appear officious in what I am going to say; but the matter presses so deeply on my

[1] James McHenry, of Maryland, Secretary of War.

mind, that fearing you may not recollect the situation of the thing, and that it may happen not to be brought fully under your eye, I cannot refrain from making the suggestion to you. It regards a bill which, I am told, has lately passed the two Houses of Congress, authorizing a sale of *bank stock*, for paying off a sum due to the bank. You will perceive by the 8th and 9th sections of the act entitled, "An Act making further provision for the support of the public credit," and for the redemption of the public debt, passed the 3d of March, 1795, that the dividends of the bank stock are appropriated to the sinking fund, with all the force and solemnity of which the language is capable, and that to divert them in the manner proposed (and this too without any substitute in the act which so diverts) will be a formal, express, and unequivocal violation of the public faith, will subvert the system of the sinking fund, and with it all the security which is meant to be given to the people for the redemption of the public debt, and, violating the sanctity of an appropriation for the public debt, will overturn at once the foundation of the public credit. These are obvious and undeniable consequences; and though I am aware that great embarrassments may ensue to the Treasury if the bill by the objection of the President is lost, and no substitute for it takes place towards the reimbursement of the bank; yet I am sure no consequences can ensue of equal moment from the rejection as from the principle of the bill going into execution.

All the President's administration has effected for

establishing the credit of the country will be prostrate at a single blow. He will readily make all necessary comments upon this position. It grieves my heart to see so much shocking levity in our representative body.

TO OLIVER WOLCOTT

NEW YORK, June 9, 1796.

DEAR SIR:

I called at your house the morning of my departure, but you were not then up. While I was in the city, we had a little conversation concerning an affair of an arrangement with *Swan*[1] for effecting a remittance to Holland. I intended to resume it for two reasons: one, because it has been represented to the disadvantage of the conduct of the Treasury; another because *Swan*, who lodged at the same house with me, begged me to converse with you on the subject, and give my opinion both to you and him of what I thought of the matter. The latter I should of course have managed with due regard to all prudential considerations.

But I wished chiefly to apprise you that it is industriously circulated that Monroe and Skipwith, *as*

[1] Colonel James Swan, of Boston. He had a most romantic and adventurous life, beginning as one of the Boston Tea-Party, and a soldier of the Revolution. In 1787, he went to Paris a bankrupt, where he speculated successfully, and whence he returned with a fortune in 1795. He went back to Europe in 1798, engaged in still larger enterprises, and failed. At the suit of a creditor he was thrown into Ste. Pelagie in 1815, and remained there fifteen years, litigating constantly in French courts. He died in 1831.

agents for the Treasury, received Swan's money at Paris to remit to Holland, that they mismanaged the fund, produced, besides, delay and loss, and that the Treasury now endeavors to turn the loss on Swan. If you have not been apprised of this, it is requisite you should be.[1]

TO OLIVER WOLCOTT

June 15, 1796.

DEAR SIR:

The post of to-day brought me a letter from you. From some recent information which I have obtained here, I have scarcely any doubt that the plan of the French is—

Firstly.—To take all enemy property in our ships contrary to the treaty between the two countries.

Secondly.—To seize and carry in all our vessels laden with provisions for any English port.

Among this, all that they choose to think enemy property will be seized, and for the residue they will promise to pay.

This state of things is extremely serious. The government must play a skilful card, or all is lost. No doubt an explanation has been asked of Mr. Adet. There is room enough for asking it, and the result, if *explanatory*, ought, in some convenient way, to be made known.

Moreover, the government must immediately set in earnest about averting the storm. To this end, a person must be sent in place of Monroe. General

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

Pinckney, John Marshall, Mr. Desaussure, of South Carolina, young Washington, the lawyer, McHenry, Secretary at War, Judge Peters, occur as eligible in different degrees, either of them far preferable to Monroe. It may be understood that the appointment is permanent or temporary, at the choice of the person sent. Under this idea, perhaps Pinckney may be prevailed upon, perhaps Marshall, it being well urged as a matter of great importance to the country.

I mentioned to Colonel Pickering an idea, which has since dwelt powerfully on my mind. Mr. King ought not to be empowered to do any thing to prolong the treaty beyond the two years after the war. This will afford the government a strong argument. I earnestly hope this idea will prevail in the instructions.

P. S.—After turning the thing over and over in my mind, I know of nothing better that you have in your power than to send McHenry. He is not yet obnoxious to the French, and has been understood formerly to have had some kindness towards their revolution. His present office would give a sort of importance to the mission. If he should incline to an absolute relinquishment, his mission might be temporary, and Colonel Pickering could carry on his office in his absence. He is at hand, and might depart immediately, and I believe he would explain very well, and do no foolish thing. Though unusual, perhaps it might be expedient for the President to write, himself, a letter to the Executive Directory,

explaining the policy by which he has been governed, and assuring of the friendship. But this would merit great consideration. Our measures, however, should be prompt.

Sometimes I think of sending Pinckney, who is in England; but various uncertainties and possible delays deter one from this plan.

Remember always, as a primary motive of action, that the favorable opinion of our country is to be secured.

A frigate or two to serve as convoys would not be amiss. If the English had been wise, they would neither have harassed our trade themselves, nor suffered their trade with us to be harassed. They would see this a happy moment for conciliating us by a clever little squadron in our ports and on our coast.

A *hint* might not perhaps do harm.

TO OLIVER WOLCOTT

June 16, 1796.

DEAR SIR:

It appears to me material, under our present prospects, to complete three frigates without delay. They may be useful with reference to the Algerines. They may be useful to convoy our vessels out of the reach of picaroon privateers hovering on our coast. I know you want money; but could not the merchants, by secret movements, be put in motion to make you a loan? I think some thing of this kind may be done here, and I should presume at Philadelphia, etc. The sole ostensible object may be the

Algerines, but the second object may circulate in whispers. If you conclude on any thing, I will second you.

Perhaps no bad form of the thing may be to place in the hands of your agents for building, Treasury bills from one hundred to one thousand dollars, payable in a year with interest; and to let it be known among the merchants that they are lodged exclusively to facilitate the equipment of the ships. But a more direct operation may be attempted, and I should hope with success, for the sum you may want for the frigates.

TO WASHINGTON

June, 1796.

SIR:

I have received information this morning of a nature which, I think, you ought to receive without delay. A Mr. Le Guen,[1] a Frenchman—a client of mine, and in whom I have inspired confidence, and who is apparently a discreet and decent man—called on me this morning to consult me on the expediency of his becoming naturalized, in order that certain events between France and the United States might not prejudice him in a suit which I am directed to bring for him for a value of 160,000 dollars. I asked

[1] Louis Le Guen brought suit to recover money for goods sold by his factors, a Jewish house in New York. The first verdict was for the factors and was set aside. The verdict on the new trial was for Le Guen for $120,000, and this was affirmed in the Court of Errors (February, 1800) after a great argument by Hamilton. The case was a famous one. Gouverneur Morris appeared for the factors and Burr was associated with Hamilton.

him what the events to which he alluded were. He made me the following reply under the strictest injunctions of confidence: "I have seen a letter from St. Thomas to Mr. Labagarde of this city, informing him that a plan was adopted to seize all American vessels carrying to any English port provisions of any kind, to conduct them into some French port; if found to be British property, to condemn them; if American, to take them on the *accountability* of the government; adding that he must not thence infer that it was the intention to make war upon the United States, but it was with a view to retaliate the conduct of Great Britain, to keep supplies from her, and to obtain them for themselves, and was also bottomed on some political motives not necessary to be explained." "That it was also in contemplation when Admiral Richery arrived, if the ships could be spared, to send five sail of the line to this country." Fearing, he said, that this might produce a rupture between the two countries, he had called to consult me on the subject, etc.

I asked his permission to make the communication to you. He gave me leave to do it, but with the absolute condition that the knowledge of names was on no account to go beyond *you* and *myself*. I must therefore request, sir, that this condition be exactly observed. He has promised me further information.

I believe the information, as well because the source of it under all the circumstances engages my confidence, as because the thing appears in itself probable. France wants supplies, and she has not

the means of paying, and our merchants have done crediting.

It becomes very material that the real situation should as soon as possible be ascertained, and that the merchants should know on what they have to depend. They expect that the government will ask an explanation of Mr. Adet, and that in some proper way the result will be made known.

It seems to become more and more urgent that the United States should have some faithful organ near the French government to explain their real views and ascertain those of the French. It is all important that the people should be satisfied that the government has made every exertion to avert a rupture, and as early as possible.

TO OLIVER WOLCOTT

June 26, 1796.

DEAR SIR:

I learn from a gentleman of character, that a prize, brought into Boston by a French privateer, is about to be sold. This being in direct breach of our treaty with Great Britain, how does it happen? Though no particular law passed, the treaty being the law of the land, our custom-houses can, and ought to, prevent the entry and sale of prizes, upon Executive instruction. If any thing is wanting to this end, for God's sake, my dear sir, let it be done, and let us not be disgraced.

Considering what is going on, and may go on, in the West Indies, it appears to me *essential* that the

President should be empowered to lay embargoes in the interval between the present and the next session of Congress.

TO WASHINGTON

July 5, 1796.

DEAR SIR:

I was in due time favored with your letter of the 26th June, and consulted the gentleman you named on the subject of it. We are both of opinion there is no power in the President to appoint an envoy extraordinary, without the concurrence of the Senate, and that the information in question is not a sufficient ground for extraordinary convening the Senate. If, however, the President from his information collectively be convinced that a dangerous state of things exists between us and France, and that an envoy extraordinary to avert the danger is a necessary measure, I believe this would, in the sense of the Constitution, warrant the calling of the Senate for the purpose. But this measure may be questionable in point of expediency, as giving a stronger appearance of danger than facts warrant. If further depredations on our commerce take place, if new revivals of the principle of the last capture should appear, it may alter the case. But without some thing more the measure would scarcely seem advisable. Mr. Jay and myself, though somewhat out of your question, talked of the expediency of removing Monroe, and though we perceive there are weighty reasons against it, we think those for it preponderate, if a proper man can be found. But here we feel, both

immense embarrassment, for he ought to be at the same time a friend to the government and understood to be not unfriendly to the French Revolution. General Pinckney is the only man we can think of who fully satisfies the idea, and unfortunately every past experiment forbids the hope that he would accept, though but for a short time. But if a character of tolerable fitness can be thought of, it would seem expedient to send him. At any rate, it is to be feared, if under the symptoms of discontent which have appeared on the part of the French government, no actual and full explanation takes place, it will bring serious censure upon the Executive. It will be said that it did not display as much zeal to avoid misunderstanding with France as with Great Britain; that discontents were left to rankle; that if the agent of the government in France was negligent or unfaithful, some other mode ought to have been found.

As to your resignation, sir, it is not to be regretted that the declaration of your intention should be suspended as long as possible, and suffer me to add that you should really hold the thing undecided to the last moment. I do not think it is in the power of party to throw any slur upon the lateness of your declaration. And you have an obvious justification in the state of things. If a storm gathers, how can you retreat? This is a most serious question. The proper period now for your declaration seems to be two months before the time for the meeting of the electors. This will be sufficient. The parties will in the meantime electioneer conditionally, that is to

say, if you decline; for a serious opposition to you will, I think, hardly be risked. I have completed the first draft (his own draft) of a certain paper, and shall shortly transcribe, correct, and forward it. I will then also prepare and send forward, without delay, the original paper (Washington's draft), corrected upon the general plan of it, so that you may have both before you for a choice in full time, and for alteration if necessary.[1]

TO OLIVER WOLCOTT

July 7, 1796.

DEAR SIR:

I have had some conversation with some influential members of the Bank of New York, who are disposed to do all that shall be found possible. But I wish to know without exaggeration the *least* sum that will be a *material* relief to you, and when and how the payments will be desired.[2]

TO ELIAS BOUDINOT

July 7, 1796.

MY DEAR SIR:

You will oblige me by letting me have an extract from that part of your mortgage law in New Jersey which regulates the mode of *cancelling* mortgages; also an extract from the registering book of the usual manner in which entries for cancelling were made about the years 1771, 1772, and 1773, and by

[1] Reprinted from the *History of the Republic*, ii., 468, 522.

[2] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

informing me whether these entries have been adjudged *conclusive*—though the order or certificate of the mortgage is not to be found, the mortgage money not paid, and the fact should appear that the entry was a fraudulent act of the registering officer.

Excuse the trouble I give you, and use me freely in a like case.

How are your election prospects? Do not let the discontent with *Dayton* [1] hazard the main point. 'T is better by a coalition with him to secure that, though you make some sacrifice of opinion, than to produce a dangerous schism.

Our affairs are critical, and *we* must be dispassionate and wise.

TO OLIVER WOLCOTT

July 15, 1796.

DEAR SIR:

The application for a loan from the Bank of New York, though powerfully supported by some of the leading directors, labors, owing to the jealousy and narrowness of certain ones, who see in it a plan to increase the active capital of the Branch Bank, and put them in its power. Unluckily, the *President* suddenly went off to Rhode Island with his wife and some sick children. I pursue the affair, and I hope still to accomplish it.

There will be no difficulty in obtaining a postponement of the existing loan. But this I tell them will not be sufficient.[2]

[1] Jonathan Dayton, of New Jersey.

[2] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

TO TIMOTHY PICKERING

July 21, 1796.

DEAR SIR:

I communicated your letter to Mr. Jay, and now give you our joint sense.

Considering the nature of the transaction and what must necessarily have been presumed to be the intent, and that the authority is on a public subject, and between two nations, we think that a decision by two out of three commissioners must be sufficient.

We know nothing but an immediate personal interest in property which may be affected by the decision, that can be a conclusive objection to the person nominated—but this interest must be known, not suspected. The rest must be matter of negotiation. In point of *property*, neither government ought to name a person liable from local situation to the suspicion of particular interest or bias. But one cannot formally object to the nomination of the other on this general ground.

Declarations like those ascribed to Mr. Barkely, if well authenticated and unequivocal, importing clearly that he thought himself at liberty to gain advantages, and bound not to act impartially, would justify the government in stopping, and representing the matter to the British Government. But we ought to act with great caution not to give occasion to impute to us a spirit of procrastination or subterfuge. 'T is so much more important that the dispute should be settled than how it is settled (at least according to my idea of the object); that we should

by no means seek for difficulties, but rather facilitate than impede.[1]

TO OLIVER WOLCOTT

July 28, 1796.

DEAR SIR:

I have not lost sight of the negotiation with the bank, though it labors, and I have thought it best to let it lie by till the President returns. Mr. *McCormick* is violent against it, and plays on little jealousies and, what is still more efficacious, private *interests*, representing the consequent inability of the bank to accommodate the merchants, many of whom, from the unfortunate issue of some recent speculations, are likely to want *much aid.*[2]

TO OLIVER WOLCOTT

July 30, 1796.

DEAR SIR:

I have written you a short line previous to the receipt of your letter of the 26th, to which, indeed, I can add nothing material.

It will, as things stand, be imprudent to push the point of a further loan till the President arrives—for, though a majority of the directors are well disposed to the thing, they are afraid of Mr. *McCormick's* clamors and want the sanction of the President to control and counterbalance him. All, I am told,

[1] Now first printed from the Pickering papers in the possession of the Massachusetts Historical Society.

[2] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

that can now be relied upon, is a postponement of the payment of the 200,000 dollars heretofore lent, to which Mr. McCormick assents.[1]

TO WASHINGTON

NEW YORK, July 30, 1796.

SIR:

I have the pleasure to send you herewith a certain draft which I have endeavored to make as perfect as my time and engagements would permit. It has been my object to render this act importantly and lastingly useful, and, avoiding all just cause of present exception, to embrace such reflections and sentiments as will wear well, progress in approbation with time, and redound to future reputation. How far I have succeeded, you will judge. I have begun the second part of the task—the digesting of the supplementary remarks to the first address,—which, in a fortnight, I hope also to send you; yet I confess the more I have considered the matter, the less eligible this plan has appeared to me. There seems to me to be a certain awkwardness in the thing, and it seems to imply that there is a doubt whether the assurance without the evidence would be believed. Besides that, I think that there are some ideas which will not wear well in the former address, and I do not see how any part can be omitted, if it is to be given as the thing formerly prepared. Nevertheless,

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society. This letter, and those preceding on the same subject, give a curious idea of the conduct of the government and the scale of financial dealings in 1796 as compared with those of to-day.

when you have both before you, you can judge. If you should incline to take the draft now sent, and after perusing and noting any thing that you wish changed, will send it to me, I will, with pleasure, shape it as you desire. This may also put it in my power to improve the expression, and perhaps, in some instances, condense. I rejoice that certain clouds have not lately thickened, and that there is a prospect of a brighter horizon.[1]

TO GREENLEAF [2]

NEW YORK, July 30, 1796.

DEAR SIR:

I have carefully reflected upon the subject of your letter of the 27th instant.

Though the data which it presents authorize an expectation of large pecuniary advantage, and though I discern nothing in the affair which an individual differently circumstanced might not with propriety enter into, yet, in my peculiar situation, viewed in all its public, as well as personal relations, I think myself bound to decline the overture.

TO OLIVER WOLCOTT

August 3, 1796.

DEAR SIR:

I have received your letter of the 1st. I deplore the picture it gives, and henceforth wish to forget

[1] Reprinted from the *History of the Republic*, vi., 523.

[2] Greenleaf described himself as worth five millions, and in debt for twelve hundred thousand dollars. He offered, if Hamilton would help him, and lend him his name, to give a third of his property, and make him his partner in a banking-house.

there is a bank or a treasury in the United States, though I shall not forget my regard to individuals.

I do not see one argument in any possible shape of the thing, for the sale of bank stock, or against that of the other stock, which does not apply *vice versa*, and I shall consider it as one of the most infatuated steps that ever was adopted.

It will be known on Thursday whether any thing is to be expected here.

TO OLIVER WOLCOTT

August 5, 1796.

DEAR SIR:

The Bank of New York is willing to make the loan of 324,000 dollars to you (I mean the exact sum of about this amount, if you desire it, which one of the laws you mention authorizes to borrow), on these terms: to advance all but 200,000 dollars when you please to advance the 200,000 dollars, by way of re-loan, when that sum, payable in October, becomes due. The term of credit to be, in each case, six months from the time of the advance. The interest, six per cent., with a deposit of stock (6 per cent.) at par, so placed as to permit the sale of it at the *market price*, if there be a failure of reimbursement at the stipulated periods. The treasury, upon honor, to draw immediately upon the bank as the money is wanted for expenditure, not to transfer it beforehand. On this point, sincerity and delicacy will be expected.

It was mentioned, too, as desirable, *though not*

made a condition, that it should be understood that in case a real pressing emergency in the course of the winter should exist, the bank, on giving previous notice of the necessity to the Treasury might be at liberty to sell the stock at the then market price. The directors to be, *upon honor*, not to use this permission but in case of *real necessity*. Their *honor*, I know, may be entirely relied upon, and it may be well to gratify.

The deposit of stock was suggested by myself, upon your first letter. It is an ingredient in the negotiation which the bank values.[1]

The bank wishes a speedy decision.

TO WASHINGTON

August 10, 1796.

SIR:

About a fortnight ago I sent you a certain draft. I now send you another on the plan of incorporation. Whichever you may prefer, if there be any part you wish to transfer from one to another, any part to be changed, or if there be any material idea in your own draft which has happened to be omitted, and which you wish introduced, in short, if there be any thing further in the matter in which I can be of any (service), I will, with great pleasure, obey your commands.[2]

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

[2] Reprinted from the *History of the Republic*, vi., 523. This letter, and those which follow, all relate to the preparation of the farewell address which was published September 17, 1796.

TO WASHINGTON

NEW YORK, Sept. 4, 1796.

SIR:

I have received your two late letters, the last but one transmitting me a certain draft. It will be corrected and altered with attention to your suggestions, and returned by Monday's or Tuesday's post. The idea of the University is one of those which, I think, will be properly reserved for your speech at the opening of the session. A general suggestion respecting education will very fitly come into the address.[1]

TO WASHINGTON

NEW YORK, Sept. 4, 1796.

SIR:

I return the draft, corrected agreeably to your intimations. You will observe a short paragraph added respecting education. As to the establishment of a university, it is a point which, in connection with the military schools, and some other things, I meant, agreeably to your desire, to suggest to you as parts of your speech at the opening of the session. There will several things come there much better than in a general address to the people, which likewise would swell the address too much. Had I health enough, it was my intention to have written it over, in which case I would both have improved and abridged. But this is not the case. I seem now to have regularly a period of ill health every summer. I think it will be advisable simply to send

[1] Reprinted from the *History of the Republic*, vi., 529.

the address by your secretary to Dunlap. It will, of course, find its way into all the other papers. Some person on the spot ought to be charged with a careful examination of the impression by the proof-sheet.[1]

TO WASHINGTON

NEW YORK, Sept. 8, 1796.

SIR:

I have received your letter of the 6th by the bearer. The draft was sent forward by the post on Tuesday.

I shall prepare a paragraph with respect to the University and some others for consideration respecting other points which have occurred.[2]

TO PHINEAS BOND

NEW YORK, Sept. 15, 1796.

SIR:

Two days since a letter was delivered to me with a declaration of the bearer that it came from Mr. Lyston.[3] On opening the cover I found nothing except a letter from Captain Cochran (which, though not addressed, would appear to have been written to some public agent of Great Britain) and a declaration of David Wilson and Thomas Marshall respecting the ship *Eliza*. The superscription of the packet resembling your handwriting, I concluded that it might have come from you, and that by some

[1] Reprinted from the *History of the Republic*, vi., 530.
[2] Reprinted from the *History of the Republic*, vi., 531.
[3] The British minister.

mistake the letter you had written me had been omitted, and that on discovery of omission it would have been forwarded by another opportunity. Finding after two days' waiting that the expectation has not been realized, I have determined to write to you on the subject.

Mr. Charles Wilkes had previously applied to me concerning this affair, and had submitted to my consideration various papers. The result was that I discouraged a judicial prosecution. My reasons are these:

Taking it to be true, as stated, that Captain Huffey brought from the *shore within our territory* persons who, *by force*, aided him to rescue the captured vessel, I am of opinion that *this circumstance* would give jurisdiction of the case to our courts on the application of the capturing party.

But when on such application any of our courts should hold jurisdiction, it would in my judgment go into the merits and examine the validity of the capture.

Here these facts occur: that the *Eliza*, being a transport vessel in the service of Great Britain, was captured by a French privateer fitted out of some port of France by Barney, an American citizen, in quality of *armateur*—Levelle, probably a Frenchman, captain by commission, and was afterwards condemned as prize by the sentence of a Court of Admiralty at Dunkirk; and, as far as the direct proof goes, purchased in virtue of that sentence by an American citizen.

It is conjectured that two thirds of the vessel

may have belonged to a French house—Messrs. De Baques—because it appears that Huffey paid two thirds of the purchase-money in a bill drawn by that house. But this is evidently a mere circumstance of suspicion, and wholly inconclusive. Why may not the De Baques have been factors or agents for Huffey? Why may not Huffey have purchased their draft towards the payment? One or the other of the two latter suppositions would no doubt prevail with the court if there was no collateral proof to the contrary.

It is also conjectured that the *Eliza* may have continued the property of Barney, but all the documents now in the power of the captor speak a contrary language. This suspicion, then, however just it may be in fact, cannot be supported.

The question then is, would the equipment of the privateer by Barney be sufficient to invalidate the purchase by a neutral citizen under the sentence of a court of the capturing power?

No opinion of any theoretic writer, nor, as I believe, any usage of any nation, nor the decisions of courts of admiralty, will authorize, in my judgment, an affirmative answer to that question.

If Mr. Barney comes within the 21st article of our treaty with Great Britain, it would make him liable, if *taken by Great Britain*, to be punished *as a pirate*. But it will be observed that the stipulation would not oblige the United States to treat him as such. And the article being confined to personal punishment, may be supposed not to contemplate the confiscation of property captured by such a person.

But it would be to go an unheard-of length to pronounce null the prize made under such circumstances by a vessel fitted out of the ports of the belligerent power, and regularly commissioned, and after a sentence of condemnation.

Therefore, and as the property in question is of little value, and as smart damages would be likely to attend a failure of the prosecution, I advised against it, as I now still do.

Yet, if Captain Cochran, or any person acting on his behalf, shall *desire the experiment to be made*, however unpromising in my view, I shall esteem it a professional duty, and due to justice to a foreign power, to put the affair in a course of judicial investigation.

TO TIMOTHY PICKERING

NEW YORK, Sept. 21, 1796.

DEAR SIR:

Some time since Mr. McCormick spoke to me about the case of his kinsman, Mr. Pitcairn, whom Mr. Monroe had prevented from exercising the functions of consul. I can, in justice, inform you that this gentleman is well considered in our city, and that his political principles have been understood to be very friendly to the French Revolution; nor have we any doubts that his sentiments towards our own government are altogether American, so that in truth there can be no shadow of political objection to him as to the office for which he was intended.[1]

[1] Now first printed from the Pickering papers in the possession of the Massachusetts Historical Society.

TO ———

1796.

Our excellent President, as you have seen, has declined a re-election. 'T is all-important to our country that his successor shall be a safe man. But it is far less important who of many men that may be named shall be the person, than that it shall not be Jefferson. We have every thing to fear if this man comes in, and from what I believe to be an accurate view of our political map I conclude that he has too good a chance of success, and that good calculation, prudence, and exertion were never more necessary to the Federal cause than at this very critical juncture. All personal and partial considerations must be discarded, and every thing must give way to the great object of excluding Jefferson. It appears to be a common opinion (and I think it a judicious one), that Mr. Adams and Mr. Pinckney (late minister to England) are to be supported on our side for President and Vice-President. New York will be unanimous for both. I hope New England will be so too. Yet I have some apprehensions on this point, lest the fear that he may outrun Mr. Adams should withhold votes from Pinckney. Should this happen, it will be, in my opinion, a most unfortunate policy. It will be to take one only instead of two chances against Mr. Jefferson, and, well weighed, there can be no doubt that the exclusion of Mr. Jefferson is far more important than any difference between Mr. Adams and Mr. Pinckney. At foot, is my calculation of chances between Adams and Jefferson. 'T is too precarious. Pinckney has

the chance of some votes southward and westward, which Adams has not. This will render our prospect in the main point, the exclusion of Jefferson, far better.

Relying on the strength of your mind, I have not scrupled to let you see the state of mine. I never was more firm in an opinion than in the one I now express, yet in acting upon it there must be much caution and reserve.[1]

TO OLIVER WOLCOTT

ALBANY, Oct. 27, 1796.

DEAR SIR:

Your letter of the 17th instant found me at Albany, attending the Supreme Court. I have no copy of the treaty with Great Britain at hand, but I am well satisfied, from memory, that the true interpretation of the treaty, enforcing, in this respect, the true rule of neutrality, forbids our permitting the sale of a prize, taken and brought in by a *French national ship* equally as if by a privateer, and that the *prize vessel* herself, with her cargo, ought to depart our ports. I hasten to give you my opinion thus far. I reserve to consider more at leisure what exceptions absolute necessity may justify. But this is clear: that as far as it may admit any, the exceptions must be *measured* and *restricted* by the *necessity*, and as soon as possible you must return into the path of the treaty.

Thus, if the prize vessel was absolutely insufficient to proceed to sea, her cargo ought to be sent out of

[1] Reprinted from the *History of the Republic*, vi., 538.

the country in another vessel, and care ought to be taken that it does not go out under false colors. Our own officers, no doubt, *must inspect* and *ascertain* any case of necessity which may be suggested.

Pray, my good friend, let there be no evasions.

TO OLIVER WOLCOTT

November 1, 1796.

DEAR SIR:

I wrote you a line from Albany, expressing an opinion from *memory* that our treaty with Great Britain prohibited the sale of prizes made by French *national* ships. Being just returned to town, I have looked into the article which related to the point, and I *fear* that opinion was wrong. In a day or two I will write to you more particularly.

Adet's late communication demands a very *careful* and *well-managed* answer.

TO OLIVER WOLCOTT

November 3, 1796.

DEAR SIR:

I have more carefully examined our treaty with Great Britain and I return to the opinion given you from Albany. My hesitation yesterday arose from the terms of the twenty-fourth article, which were confined to *privateers*, a word that has an appropriate sense, meaning *ships of private persons commissioned to cruise*. But the following article contains the equivalent one to that with France, upon

which we refused all bringing in and sale of prizes by her enemies. The words are, "no refuge," etc., the *major* including the *minor*. And though France, by our treaty with her, may *bring in* prizes, yet the treaty gives her *no right to sell*. The clause in question, in the English treaty, cannot take away the right she before had to *bring in* her prizes; but as she had not a positive right to sell, it will oblige her to *depart* with them: in other words, it will preclude her from whatever she has not a positive right to. This also is Mr. Jay's opinion, and it is certainly agreeable to the whole spirit of the treaty.

TO WASHINGTON

November 4, 1796.

SIR:

I have lately been honored with two letters from you, one from Mount Vernon, the other from Philadelphia, which came to hand yesterday. I immediately sent the last to Mr. Jay, and conferred with him last night. We settled our opinion on one point, viz.: that whether Mr. Adet acted with or without instruction from his government in publishing his communication, he committed a disrespect towards our government, which ought not to pass *unnoticed*, and would most properly be *noticed* to him as the representative or agent. That the manner of noticing it, in the first instance, at least, ought to be *negative;* that is, by the personal conduct of the President towards the Minister. That the true rule on this point would be to receive the Minister

at your levees with a *dignified reserve*, holding an *exact medium* between an *offensive coldness* and *cordiality*. The point is a nice one to be hit, but no one will know better how to do it than the President.

Self-respect and the necessity of discouraging further insult, requires that *sensibility* should be manifested; on the other hand, the importance of not widening a breach, which may end in rupture, demands great *measure* and *caution* in the mode.

Mr. Jay and myself are both agreed also, that no immediate publication of the reply which may be given ought to be made, for this would be like joining in *an appeal* to the public—would countenance and imitate the irregularity, and would not be dignified; nor is it necessary for any present purpose of the government. Mr. Jay *inclined* to think that the reply ought to go through Mr. Pinckney to the Directory, with only a short note to Adet, acknowledging the reception of his paper and informing him that this mode will be taken. I am not yet satisfied that this course will be best. We are both to consider further, and confer. You will shortly be informed of the result.

But whatever be the mode adopted, it is certain that the reply will be one of the most delicate papers that has proceeded from our government, in which it will require much care and nicety to steer between *sufficient* and too *much justification*, between *self-respect* and *provocation* of further insult or injury; and that will at the same time save a great political interest which this step of the French Government opens to us. Did I not know how guarded you will

yourself be, I should be afraid of Mr. Pickering's *warmth*. We must, if possible, avoid a rupture with France, who, if not effectually checked, will, in the insolence of power, become no less troublesome to us than to the rest of the world.

I dedicate *Sunday* to the execution of your commands in preparing certain heads. You will speedily hear again from me.

TO WASHINGTON

November 5, 1796.

SIR:

Yesterday, after the departure of the post, I received your letter of the 3d. I have since seen the answer to *Adet*. I perceive in it nothing intrinsically exceptionable, but some thing in the manner a little epigrammatical and *sharp*. I make this remark freely, because the card now to be played is perhaps the most delicate that has occurred in our administration, and nations, like individuals, sometimes get into squabbles from the manner more than the matter that passes between them. It is all-important to us—first, if possible, to avoid rupture with France; secondly, if that cannot be, to evince to the people that there has been an unequivocal disposition to avoid it. Our discussions, therefore, ought to be *calm*, *smooth*, inclined to be argumentative; when remonstrance and complaint are unavoidable, carrying upon the face of them a *reluctance* and *regret*, mingling a steady assertion of our rights and adherence to principle with the language of moderation, and, as long as it can be done, of friendship.

I am the more particular in these observations, because I know that Mr. Pickering, who is a very worthy man, has nevertheless some thing warm and angular in his temper, and will require much a vigilant, moderating eye.

I last evening saw Doctor Bailey, our health officer, who tells me that the French Consul here, in conversation with an assistant of the doctors, who is a refugee from St. Domingo, expressed a desire to make arrangements for the sick of a French fleet expected shortly to arrive at this port. I thought this circumstance worth communication.

TO OLIVER WOLCOTT

November 9, 1796.

DEAR SIR:

I received yesterday your letter of the 6th, and immediately wrote some additional letters to the eastward, enforcing what I had before written. Pennsylvania does not surprise me.

I have reconsidered the opinion given to you on the third, and see no reason to change it. The reasoning which leads me to the conclusion, has not been sufficiently explained, I will therefore be more particular.

The articles in our treaty with France, which respect the subject, are the seventeenth and twenty-second.

The seventeenth consists of two parts.

First.—It grants *asylum* in our ports for French ships of war and *privateers, with their prizes;* and

with liberty *to carry them freely thence to their own ports.*

Secondly.—It prohibits the giving refuge, in our ports, *to such as shall have made prize of the subjects, or property, of the French.* It grants no right to sell prizes in our ports, neither does the *letter* of the article prohibit *prizes*, made of the French, from coming into our ports. It only prohibits *the instrument* of making the prizes. But the construction justly adopted by the President was, that the prohibition, in its true spirit, excluded the *bringing in of prizes*, whether coming with, or without, the capturing vessels. 'T is upon this part of the treaty, alone, that prizes made by *national vessels* of Great Britain, were excluded from our ports. For,—

The twenty-second article with France is wholly confined to *privateers;* prohibiting those of other nations *to fit* or to sell their *prizes* in our ports.

This article, had it stood alone, would have left us as free to admit British *national* ships, with *their prizes*, into our ports, as our twenty-fourth article with Great Britain leaves us free to admit French national ships, with their prizes. For these articles are the exact equivalents of each other. So that, as before remarked, the prohibition of the *coming in*, or *sale in*, our ports, of *prizes made upon the French by British national ships*, was derived, by *construction* and *implication*, from the seventeenth article of our treaty with France.

It follows, that this article was considered as competent to prevent the *coming in and sale* of prizes.

If so, the same, or equivalent, terms in the British treaty, must be competent to the same thing.

Now the twenty-fifth article of our treaty with Great Britain has equivalent terms. We there read, that "no shelter or refuge shall be given in their ports to *such as have made a* prize upon the subjects, or citizens, of either of the contracting parties; but if forced, by stress of weather or the danger of the sea, to enter therein, particular care shall be taken to hasten their departure; and to cause them to retire as soon as possible." This prohibition includes here, as in the seventeenth article of our treaty with France, a prohibition to sell prizes in our ports; not the *prizes* of *privateers only*, but prizes generally.

But France, it is answered, had a prior right, by the seventeenth article of our treaty with her, "to come and bring prizes into our ports."

True, she had this right, and must have it still, notwithstanding the twenty-fifth article of our treaty with Great Britain: but she had no prior right, by treaty, *to sell prizes* in our ports; and consequently, as the twenty-fifth article of our treaty with Great Britain excludes, as the *minor* of a *major*, the selling of prizes in our ports, the exclusion, so far, is in force, because it contravenes no *prior right* of France. As far as the treaty with France gives a right, inconsistent with the above twenty-fifth article, that right forms an exception; but the exception must be only co-extensive with the right. The conclusion is that France retains the right of *asylum*, but is excluded from the right of selling. This gives effect to the twenty-fifth article with Great Britain, so far as

the treaty-right of France does not require an exception.

And this construction ought to be favored, because it best comports with the rule of neutrality.

It will also best agree with the President's former decisions. He permitted France to sell prizes; not because treaty gave her a right, but because he did not see clearly any law of the country, or of nations, that forbids it. But consistency does not require that this permission shall continue, if there be any thing in the treaty with Great Britain against it. Consistency, however, does require that the same latitude of construction should be given to the twenty-fifth article of our treaty with Great Britain, as was before given to the seventeenth article of our treaty with France. The same latitude will, as I apprehend, exclude the sale of prizes, by France, in the case in question.

I regret extremely the publication of the reply to Adet, otherwise than through the channel of Congress. The sooner the Executive gets out of the newspapers the better. What may now be in its power, will depend on circumstances which *are to occur*.

TO WASHINGTON

NEW YORK, Nov. 10, 1796.

SIR:

I have been employed in making, and have actually completed a rough draft on the following heads: "*National University; Military Academy;*

Board of Agriculture; establishment of such manufactories on *public account* as are relative to the equipment of army and navy, *to the extent of the public demand for supply*, and excluding all the branches already well established in the country; the *gradual* and *successive* creation of a navy; compensations to public officers; *reinforcement* of provision for public debt." I send you this enumeration, that you may see the objects which I shall prepare for. But I must beg your patience till the beginning of the next week for the transmission of the draft, as I am a good deal pressed for time.

The Legislature having appointed Mr. Lawrence district judge, a successor will of course be to be provided. A conviction of his competency, a high opinion of his worth, and a long-established personal friendship, induce me to take the liberty of *precipitating* a recommendation to you of Mr. *Troup*, the present clerk of the District and Circuit Court (the attorney of the district being known to be disinclined to the office). Mr. Troup is a lawyer, professionally very respectable, so that his practice is inferior in productiveness to no other; but he has by the most unexceptionable means acquired a property sufficient to make it reasonable in him to withdraw from practice, upon a salary such as that of the district judge, and latterly his health has somewhat suffered from a long course of *excessive application*. His moral character is without an imputation of any sort; indeed, no man in the State is better esteemed than this gentleman; so that, I believe the appointment would be considered as altogether fit. I trust,

however, that in expressing myself thus strongly, it will not occasion to you a moment's embarrassment, if any candidate more agreeable to you shall occur.

TO WASHINGTON

November 11, 1796.

SIR:

My anxiety for such a course of things as will most promise a continuance of peace to the country, and in the contrary event a full justification of the President, has kept my mind dwelling on the late reply to Mr. Adet; and, though it is a thing that cannot be undone, yet, if my ideas are correct, the communication of them may not be wholly useless for the future. The more I have considered the paper, the less I like it.

I think it is to be regretted that answers were not given to the preceding communications of Mr. Adet. For silence commonly carries with it the appearance of *hauteur* and *contempt*. And even if the paper to be answered is offensive, 't is better and less hazardous to harmony to say so, with calmness and moderation, than to say nothing. Silence is only then to be adopted when things have come to such a state with a minister, that it is the intention to break with him. And even in this case, if there is still a disposition to maintain harmony with his government, a reply ought to go through our own organ to it, so as to distinguish between the minister and the government.

The reason given for not having answered the inquiry respecting the impressment of our seamen is

too broad. When two nations have relations to each other, and one is at war, the other at peace, if the one at peace suffers liberties to be taken with it by the enemy of the one at war, which turns to the detriment of the latter, it is a fair subject of inquiry and discussion. The questions may be asked: How does this happen? What measures are taken to prevent a repetition or continuance? There is always possibility of connivance, and this possibility gives a right to inquire, and imposes an obligation to enter into friendly explanation. 'T is not a matter of indifference to our friend, what conduct of its enemy we permit towards ourselves. Much indeed in all these cases depends on the manner of the inquiry; but I am satisfied the principle is as I state it, and the ground assumed by Mr. Pickering, in the latitude of the expression, untenable.

These opinions are not confined to me. Though most people like the air of what is called spirit in Mr. Pickering's letter, yet some of the best friends of the cause whisper cautiously remarks similar to the above.

It is a question now well worth considering, whether, if a handsome opportunity of rectifying should not occur with Mr. Adet, it may not be expedient, specially to instruct Mr. Pinckney, to make the explanations, putting our backwardness here to the score of the manner of the inquiry, and qualifying the generality of our principle—without giving up our right of judging of the measure of our compliance in similar cases.

I know you will so well appreciate the motives to

these observations, that I run no risk in being thought officious, and I therefore freely transmit them, being always, etc.

TO WASHINGTON

NEW YORK, Nov. 19, 1796.

SIR:

I duly received your letter of the 12th instant. My avocations have not permitted me sooner to comply with your desire. I have looked over the papers, and suggested alterations and corrections; and I have also numbered the paragraphs, I., II., III., etc., in the order in which it appears to me eligible they should stand in the speech.

I thought, upon full reflection, you could not avoid an allusion to your retreat, in order to express your sense of the support of Congress, but that the simplest manner of doing it was to be preferred. A paragraph is offered accordingly.

I believe the commencement of a navy ought to be contemplated. Our fiscal concerns, if Congress please, can easily be rendered efficient; if not, 't is their fault, and ought not to prevent any suggestion which the interest of the country may require.

The paragraph in your letter respecting our Mediterranean commerce may well be incorporated in this part of the communication.

You will observe a paragraph I have framed contemplates a full future communication of our situation with France. At present it seems to me that this will be effected in the following mode:

Let a full reply to Mr. Adet's last communication

be made, containing a particular review of our conduct and motives from the commencement of the Revolution. Let this be sent to Mr. Pinckney, to be imparted to the Directory; and let a copy of it, with a short auxiliary statement of facts, if necessary, be sent to the House of Representatives. As Mr. Adet has suspended his functions, I presume no reply can be made to him; but, not having seen his paper, I cannot judge.

The crisis is immensely important to the glory of the President, and to the honor and interest of the country.

It is all-important that the reply to Adet's last communication, to whomsoever made, should be managed with the utmost possible prudence and skill, so that it may be a solid justification—an inoffensive remonstrance—the expression of a dignified seriousness—reluctant to quarrel, but resolved not to be humbled. The subject excites the greatest anxiety.

TO OLIVER WOLCOTT

November 22, 1796.

DEAR SIR:

I thank you for your note sending me Adet's letter. The present is, in my opinion, as critical a situation as our government has been in, requiring all its prudence, all its wisdom, all its moderation, all its firmness.

Though the thing is now passed, I do not think it useless to say to you that I was not well pleased with the Secretary of State's answer to Adet's note

communicating the order respecting neutral vessels. There was some thing of hardness and epigrammatic sharpness in it. Neither did I think the position true that France had no right to inquire respecting the affair of seamen. I am of opinion that whenever a neutral power suffers liberties to be taken with it by a belligerent one, which turns to the detriment of the other party, *as the acquiring strength by impressing our seamen*, there is a good ground of inquiry, demanding candid explanation.

My opinion is, that our communication should be *calm*, *reasoning*, and *serious*, showing steady resolution more than feeling, having force in the idea rather than in the expression.

I am very anxious that our government should do right on the present occasion.

My ideas are these:

As Adet has declared his functions suspended, the reply ought not to be to him, but through Mr. Pinckney to the Directory.

It ought to contain a review of our conduct from the beginning, noticing our first and full acknowledgment of the Republic, and the danger we ran by it. Also the dangers we incurred by other large interpretations of the treaty in favor of France, adverting to the sale of prizes.

It should meet all the suggestions of the Minister, correct his misstatements of facts, and meet, argumentatively, his principles. Where arguments already used are repeated, it ought to be in a new language, or by quotations in the body of the reply, not by reference to other communications annexed,

or otherwise, which embarrass the reading and attention.

It should review calmly the conduct of France and her agents, pointing out fully and clearly the violations of our rights, and the spirit which was manifested, but in terms the most cautious and inoffensive.

It should advert to the policy of moderation towards the enemies of France, which our situation and that of France, especially as to maritime power, imposed upon us.

It should briefly recapitulate the means of obtaining redress from Great Britain employed by our government, and the effects they have produced.

It should explain why the government could not adopt more *expeditious* modes; why the Executive could not control the Judiciary, and should show that, in effect, the opposite party, as well as France, suffered the inconveniences of delay.

It should make prominent the consequences upon the peace and friendship of governments, if all accidental infractions from situation, from the negligences, etc., of particular officers, are to be imputed with severity to the government itself, and should apply the remark to the case of the injuries we have suffered, in different ways, from the officers and agents of France.

It should make prominent two ideas: the situation in which we were with Great Britain prior to the last treaty, so as to show that, by the *laws* of nations, as *admitted* to us and *declared* to France and the world, prior to that treaty, all the things

complained of as resulting from that treaty previously existed. And it should dwell on the exception, in that treaty, of prior treaties.

It should point out strongly the idea that the inconvenience at particular junctures of particular stipulations is no reason for one party superseding them, but should intimate that the President is willing to review the *relations* between the two countries, and, by a new treaty, if the same shall be approved by the Senate, to readjust the terms of those *relations*.

The article in the treaty with France respecting an admission of the same privileges which are granted to other powers should be examined. This plainly means where there is any *concession* of a positive privilege which the United States were free to refuse, not where there is a mere recognition of the principles of the laws of nations.

It should be made prominent that the United States have always wished, and still wish, to cultivate the most amicable relations, and are still disposed to evince this disposition by every method in their power; that in what they said they mean only to show that they have acted in sincerity and good faith, and have rather received than given cause to complain; that they have been disposed to make a candid construction of circumstances which might seem inconsistent with a friendly conduct in France, and claim a similar candor in the estimate of their situation and conduct.

There should be an animadversion upon the unfitness of looking beyond the government to the citizens.

And there should be these ideas, properly couched:

that the United States cannot admit that a just cause of resentment has been given; that they appeal from the misapprehension which dictated this sentiment to the justice and magnanimity of France, for a retraction of it, and for meeting them freely in the complete restoration of a friendly intercourse; that France will not deliberately expect that they could make a sacrifice of self-respect, since she must be sensible that a free people ought, in every event, to cherish it as a sacred duty, and to encounter with firmness every danger and calamity which an attempt to make them forget it, or degrade them from their independent character, may involve.

This would be the general complexion of the reply which I would give. The manner should be extremely cautious, smooth, even friendly, but yet solemn and dignified.

The alliance, in its future operation, must be against our interest. The door to escape from it is opened. Though we ought to maintain with good faith our engagements, if the conduct of the other party releases us, we should not refuse the release, so far as we may accept without compromitting our peace. This idea is very important.

TO OLIVER WOLCOTT

December 6, 1796.

DEAR SIR:

The president of the Bank of New York called upon me yesterday and manifested considerable anxiety about the state of the bank. It seems the course of things lately and their large accommodations to

the Government have produced a balance against them in favor of the office of discount at this place, which has lately called for 100,000 dollars in specie and it is apprehended may speedily call for more.

The president mentioned this situation generally, with only this view, to show that the bank would probably be under the necessity of selling the stock pledged with them, if the government should not be punctual. It was at the same time declared that nothing but necessity would lead to any measure inconvenient to the government, yet it was thought advisable to admonish of the probable necessity.

A director two or three days since also mentioned to me that there was a sum of about 26,000 dollars of interest due to the bank, of which an account had been rendered, but which was not paid, adding that in the present situation every little would help. Observations like these are of course confidential. But the situation requires, and it will make it good policy that, if in your power, you should come to the aid of the Bank of New York. It would be wise, if possible, to anticipate a particular payment. It will be also useful to arrest for a time too free calls from the office.

Friendly attention and good offices on your part will inspire confidence and embolden the bank to assist in future emergencies, and it is very much the policy of the Treasury not to be exclusively dependent on one institution.

P. S.—Let me hear from you on this subject. What is doing with Adet?

TO RUFUS KING

NEW YORK, Dec. 16, 1796.

I have received, my dear sir, your several letters of the 25th of August, 10th and 11th of September. You know my sentiments towards you too well to ascribe my delay in answering them to any other cause than the imperiousness of avocations with which I could not dispense.

Public opinion, taking the country at large, has continued since you left us to travel on a right direction, and, I trust, will not easily deviate from it. You will have seen before this reaches you Mr. Adet's communciations. We conjecture, as to the timing of them, that they were intended to influence the election of president by the apprehension of war with France. We suppose also they are designed in the same way to give support to the partisans of France, and that they have for eventual object the placing things in just such a state as will leave France at liberty to slide easily either into a renewal of cordiality or an actual or virtual war with the United States. If the war of Europe continues, the efforts of France will be likely to be levelled as a primary object against the commerce and credit of Great Britain; and to injure these, she may think it advisable to make war upon our trade,—forgetting perhaps that the consequence may be to turn it more entirely into the channels of Great Britain. These reflections will be obvious to you. I only make them to apprise you of the view which is taken of the subject here. Thus far appearances do not

indicate that the purpose of influencing the country has been obtained. I think, in the main, the effect has been to impress the necessity of adhering more firmly to the government.

You need not be told that every exertion not degrading to us will be made to preserve peace with France. Many of the opposite party, however they may be pleased with appearances of ill-humor in France, will not wish to go to the length of war. And we shall endeavor to avoid it in pursuance of our general plan of preserving peace with all the world. Yet you may depend that we shall not submit to be dictated to, or to be forced into a departure from our plan of neutrality, unless to repel an attack upon us.

Our anxiety has been extreme on the subject of the election for president. If we may trust our information, which we have every reason to trust, it is now decided that neither Jefferson nor Burr can be president. It must be either Adams or Pinckney—the first most probably. By the throwing away of votes in New England, lest Pinckney should outrun Adams, it is not unlikely that Jefferson will be vice-president. The event will not a little mortify Burr. Virginia has given him only one vote.

It was expected of course that the Senate's answer to the President would be flattering to him. But the speech in the House of Representatives has been better than was expected. An address, which I have not seen, but stated by our friends to be a very good one, has passed the House with only twelve dissenting, consisting of the most fiery spirits.

The address is not only generally complimentary to the President, but includes, it is said, an *explicit approbation of his administration*, which caused the division. Edward Livingston is in the minority.

After giving you these consolatory accounts, I am now to dash the cup a little by telling you that Livingston is in all probability re-elected in this city. The principal cause has been an unacceptable candidate on our part—*James Watson*. There were four gentlemen who would certainly have succeeded, but none of them would accept. In Watson we could not unite opinions. He was more disagreeable than I had supposed to a large body of our friends, and yet, after the declining of the persons alluded to, we could not do otherwise than support him; for he had gotten a strong hold upon most of the leading mechanics who act with us.

But in the State at large we shall better our representation, and I hope for a majority in the House of Representatives. As an omen of this there are several new members in Congress from different States who hitherto vote with our friends.

The favorable change in the conduct of Great Britain towards us strengthens the hands of the friends of order and peace. It is much to be desired that a treatment in all respects unexceptionable from that quarter should obviate all pretext to inflame the public mind.

We are laboring hard to establish in this country principles more and more *national* and free from all foreign ingredients, so that we may be neither "Greeks nor Trojans," but truly Americans.

TO OLIVER WOLCOTT

NEW YORK, Dec. 21, 1796.

DEAR SIR:

I did not understand by your letter of the 17th of November whether you meant or not to authorize the immediate commencement of the sale of stock. If you think this measure will become indispensable, it may be well to anticipate the execution; though, indeed, sales of stock are at this juncture nearly impracticable. Yet I imagine it will be agreeable to the bank to have permission to anticipate.

A very prudent letter has lately been written by the president of the Bank of the United States to the Office of Discount here, among other things advising a *reduction* of the balance due from the Bank of New York to 100,000 dollars. This letter, which in my opinion leaves, as it ought to do, to the directors of the office here, discretion to execute the idea with due regard to circumstances, has, however, been construed by them in too peremptory a light; and accordingly they have drawn from the Bank of New York pretty rapidly 150,000 dollars, which begets an apprehension that subsequent calls may be equally rapid, and, exciting fear and jealousy, is likely to produce too sudden a retrenchment of the business of the Bank of New York. And as the office, being confined, as they suppose, to discounting twice their capital, cannot, by increased accommodations, fill the void, there is danger of stagnating and convulsing the business of the city so as to give a shock to credit. The directors here are sensible of the danger, but several of them take the intimation

from Philadelphia in too strict a sense, and cannot resolve to alleviate the apprehensions of the Bank of New York.

Though the Bank of New York has reduced and is reducing its discounts, there are circumstances of the moment which continue to incline the balance in favor of the office, but it is easy to see, taking in the payments of the government in February, that there will be a natural change, and consequently it is every way imprudent to force them.

If the last loan of the Bank of New York to government had no other use than that which you *hint*, this still was very important. And it is interesting all round that a disposition should exist to repeat similar accommodations. But you easily see how cautious and disaffected spirits are armed against it when they can say, "We told you that you would embarrass yourself by your loan to government," and in truth if this had not been made the Bank of New York would now stand on high ground.

Pray interpose with Mr. Willing to obtain an explanatory letter leaving more clearly the *time* and *manner* of accomplishing the reduction of the present balance to their discretion.

I will say nothing more of an anticipated payment, but if this were practicable to the extent of 50,000 or 100,000 dollars it would be consolatory to the directors and leave the residue more to your convenience.

Don't derive from this letter any source of alarm. Every thing is sound with both banks here. I know the state of both. But there is danger that *fear* and *jealousy* in the directors of the Bank of New York

may produce evil which it is unnecessary to hazard. I wish to see your report on direct taxes.

I shall send you, the first opportunity, the volume of "Reports of Courts."

P. S.—Mr. Caleb Brewster is a candidate for the office of first mate in the revenue cutter here. I remember he rendered very meritorious services in the war, and I am told has been bred a seaman. In these respects he has a good claim. His character otherwise is not known to me. But if it affords no objection, I think he will be an eligible man.

It is said Walker is to resign. In this case Jonathan Burrall wishes to succeed. There cannot, you know, be a more fit man, and he will be entirely acceptable here.[1]

TO THEO. FOSTER, ESQ.[2]

PHILADELPHIA, 1 Sept., 1791.

DEAR SIR:

I have had the pleasure of receiving your two letters of the 23rd July & 4th of August. You concluded rightly that it could require no apology for entering into the detail with which you have favored me. On a subject so interesting to your State, your desire to communicate information was indulged

[1] Now first printed from the Wolcott papers, in the possession of the Connecticut Historical Society.

[2] This letter of Hamilton's to Theo. Foster is now (1904) for the first time printed. The publishers are indebted to the courtesy of Mr. G. H. Crawford and to the Hamilton Club, of Brooklyn, for permission to use the letter in this set. Theo. Foster was United States Senator from Rhode Island in 1790.

with peculiar propriety, & on any subject I shall always esteem myself obliged by your sentiments. Thoroughly impressed with the hardship of a decision against the certificates which had been surrendered to the State by their Proprietors, I did not come to it without a serious struggle between my Judgment & my Wishes; but after mature deliberation I saw no way of allowing those Certificates to be received on the proposed loan which would not involve inextricable embarrassment. All the States have called in large portions of their respective Debts.

There is good reason to believe, that on a close investigation Rhode Island might not be found to be the only State in which they had been so called in for a very inadequate consideration. And tho' it might be urged to distinguish the case, that Rhode Island alone compelled the surrender, on pain of forfeiture, it might be answered that in sound equity, there is no very material distinction between obliging Persons to surrender their property for less than its value, under the penalty of confiscation and laying them under a necessity of doing the same thing, from the total and deliberate neglect of a better provision. Be this as it may, I saw no safe rule, that would be admitted to be such by even the candid part of those, whose interest it might be to dispute it, by which I could pronounce that Certificates surrendered and cancelled *by the Mutual Acts* of the Creditor and Debtor should be permitted to receive and acquire validity in respect to one State and not in respect to another. And without such rule, all the extinguished portions of the Debts of all the

States might, if they should think proper to make it so, acquire a capacity of being subscribed towards the assumption. Where this would lead it is not necessary to say. The two Carolinas have actually passed laws for subscribing the portions of their respective Debts which have been extinguished by them—the only answer I can give is that a Bond surrendered as discharged constitutes *no Debt* and that in every such case, there is no Debt to be assumed.

I cannot allow an after act of a State to create a Debt within the meaning of the funding Act, which it cannot be admitted to have contemplated as then in existence. It may be asked, How then shall the Certificates which remained in the hands of Individuals, but which were forfeited by the law of the State, be admitted upon the Loan, any more than those which were surrendered? This is a question not wholly free from difficulty; but if I had found no distinction satisfactory to my own mind, I should have been obliged to reject the whole. Such a distinction, however, was in my opinion to be found. Upon principle, it is a general rule, that the dissolution of a contract by one party without the concurrence of the other, is void.

The Creditors who did not concur may claim the benefit of that rule and it is to be supposed that it was the intention of Congress, they should have it. It may be said to be a legal presumption that Congress, at the time of passing the funding Act, was acquainted with the laws of Rhode Island respecting the Certificates. And in point of fact the generality

of them were so at least in substance. They must, therefore, have been apprised, that if the forfeiture annexed in those laws to the not bringing in the certificates for payment was to prevail, there was no debt of the State of Rhode Island to be assumed. By assuming a Sum of 200,000 Dollars, a sum by the way nearly corresponding with the amount of the outstanding Certificates, the clear inference is that they meant to consider those Certificates as in force, and the forfeiture as far as regarded the assumption, as inoperative. But it is not a reasonable presumption, that they could have intended to comprise the surrendered Certificates, which could not even be repossessed by the individual proprietors without a subsequent act of the State.

I have made some suggestions in this letter, which I should perhaps have omitted if I had considered it as strictly official, and therefore request that it may be received as a private and in some sort a confidential communication.

I cannot lose the opportunity of expressing to you that I feel myself truly and very much indebted to the Senators of Rhode Island for the very flattering manner in which they have made mention of the Secretary of the Treasury in their late communication to the State.

The measure of their approbation certainly exceeds that of his services or pretentions.

With respectful consideration and real regard, I have the honor to be

Dear Sir

Your obedient Servant.

TO OLIVER WOLCOTT

December 23, 1796.

MY DEAR SIR:

I wrote to you two days ago on the subject of obtaining an instruction from the Bank of the United States to the direction of the office here to prevent a speedy repetition of these calls on the Bank of New York. This bank has so large a proportion of its whole capital in the power of the office that, if it be not tranquillized on the subject of demands from that quarter, it will be driven to such violent operations as cannot fail to convulse credit, and, among other evils, prevent the collection of the revenues. The danger is urgent, and a prompt explanation is essential.

The situation of the Bank of New York is, no doubt, materially owing to the prolongation of the old and the new loan to government. Its capital is 900,000 dollars; its discount, 1,600,000. Here is certainly no imprudence.

Many of the merchants here are anxious for an accommodation for the duties similar to that which I upon certain trying occasions made. I know not what is possible on your part.[1]

TO WILLIAM SMITH

1797.

MY DEAR SIR:

I received your letter of the ———. Though I do not like in some respects the answer of the House to the speech, yet I frankly own that I had no objection

[1] Now first printed from the Wolcott papers, in the possession of the Connecticut Historical Society.

to see it softened down. For I think there is no use in *hard words*—and in public proceedings would almost always unite the *suaviter in modo* with the *fortiter in re*.

But I must regret that there is no prospect of the *fortiter in re*. I perceive clearly that your measures will wear upon the whole the aspect of *resentment*, without means or energy sufficient to repel injury. Our country will be first ruined, and then we shall begin to think of defending ourselves.

I will not enter much into detail, but I will observe that instead of three frigates of thirty-two, I would prefer an increase of the number of cutters. Surely twenty of these cannot embarrass the most squeamish, and less than this number will be useless.

But from all I can see you will have no revenue. Overdriven theory everywhere palsies the operations of our government, and renders all rational *practice* impossible.

My ideas of revenue would be:

A tax on buildings	$1,000,000
Stamp tax, including perfumeries — a percentage on policies of insurance—on collateral successions to real and personal estate—on *hats*—say . . .	500,000
5 cents for the worst, 10 for the middling, and 20 for the best saddle-horses .	250,000
Salt, so as to make the whole 25 per cent.	250,000
	$2,000,000

I have explained my ideas of the house tax to Wolcott and Sedgwick.

It is to take certain *criteria* of different buildings,

and annex to them *ratios*, not *rates*. (What I gave to Sedgwick as *rates* may serve as *ratios*.) Then apportion the tax among the States, and distribute the quota of each among the individuals according to ratios. The aggregate of the ratios will represent the quota of the State—then, as that aggregate is to be the sum of the quota, so will *be the sum of the ratios* of each building to the tax to be paid by each individual.

I am told an objection will arise from the negro houses in the South. Surely there is no impracticability in annexing *ratios* to them which will be proportional to their taxable value. This plan will avoid the worst of all inconveniences—arbitrary valuations; and will avoid the embarrassment for the present of a land tax; will be also consistent with expedition. I entertain no doubt it can be adjusted so as to be free from any material objection. The smallness of the tax will render any material inequality impossible. You cannot compute fewer than six hundred thousand houses, which, at an average, would be about a dollar and a half a house. The proportions of the better houses on the proposed plan would make the tax fall light on the inferior and country houses, which is desirable for recommending the first essay; nor would any house I am persuaded have to pay ten dollars. What room for serious objection? You then lay a foundation for an annual million on real property, which will become a permanent accession to your revenue; whereas you will feel an endless embarrassment about agreeing upon any tax on lands.

TO ———

1797.

You seem to be of opinion to defer to a future period the commencement of direct taxation. I acknowledge I am inclined to lay hold of it now. The leaders (Findley, Gallatin, Madison, Nicholas) of the opposite party favor it now perhaps with no good design. But it will be well to take them while in the humor, and make them share the responsibility. This will be the more easy, as they are inclined to take the lead. Our external affairs are so situated, that it seems to me indispensable to open new springs of revenue, and press forward our little naval preparation, and be ready for augmenting it.

I have been reading the report of the Secretary of the Treasury on this subject. I think it does him credit. The general principles and objects are certainly good; nor am I sure that any thing better can be done. I remember that I once promised you to put in writing my ideas on the subject. I intended to have done it, and communicated them to the Secretary. My hurry and press of business prevented me, but I concluded lately to devote an evening to a rude sketch and to send it to you. You may show it to the Secretary and confer. If, in the course of the thing, it can be useful to the general end we all have in view, it will give me pleasure. If not, there will have been but little time misspent. Of course, no use will be made of it in contradiction to the views of the Treasury department.

As to the part which relates to land, I do not feel

any strong preference of my plan to that in report; for this, in my opinion, ought to be considered only as an auxiliary, and not as the pith of the tax. But I have a strong preference of my plan of a house tax to that in the report. These are my reasons: It is more comprehensive, embracing all houses, and will be proportionally more productive. It is more certain, avoiding the evasions and partialities to which valuations will forever be liable, and I think is for that reason likely to be at least as equal. I entertain no doubt that the rules of rates, adapted as they are to characterize circumstances, will in fact be more favorable to equality than appraisements. I think the idea of taxing only houses of above a certain annual value will be dissatisfactory. The comparison of the proprietors of houses immediately above with those immediately below the line will beget discontent, and the errors of valuation will increase it. I think there will be a great advantage in throwing the weight of the tax on houses, as well because lands are more difficult to manage, as because it will fall in a manner less dissatisfactory. I would not bear hard in this way. I would add, as aid, the taxes contemplated last session on stamps, collateral successions—new modifications of some articles of imports, and, let me add, saddle-horses. The idea of taxing slaves generally will not work well. If confined to all menial servants for luxury, as coachmen, footmen, cooks, etc., it would be eligible.[1]

[1] Reprinted from the *History of the Republic*, vi., 592.

TO WASHINGTON

NEW YORK, Jan. 19, 1797.

SIR:

Mrs. De Neuville, widow of Mr. De Neuville,[1] formerly of Holland, lately passed through this city. On her way she called upon me, and announced her intention to make application to Congress, on the ground of the political services rendered the United States by her husband as, in fact, a principal cause of his pecuniary misfortunes, and expressed a wish that I would lay the case under your eye. I told her that your situation did not permit you to take an agency in similar matters depending before Congress, and that you were very delicate on such subjects. She replied that you might, perhaps, indirectly promote her cause, and that from a letter from you to her husband, she was encouraged to think you would be disposed to befriend her. I yielded at last to female importunity, and promised to mention the matter. I do not know what the case admits of, but from papers which she showed me, it would seem that she has pretensions on the kindness of this country.

Our merchants here are becoming very uneasy on the subject of the French captures and seizures. They are certainly very perplexing and alarming, and present an evil of a magnitude to be intolerable,

[1] John De Neuville, of the Dutch banking-house of John De Neuville & Sons. He was an active, agreeable, speculative man, who had more or less to do with our financial efforts during the war. He made propositions to Franklin, which were dismissed as extravagant, and John Adams, with many misgivings and ultimate disapproval, had some dealings with him.

if not shortly remedied. My anxiety to preserve peace with France is known to you, and it must be the wish of every prudent man that no honorable expedient for avoiding a rupture be omitted. Yet there are bounds to all things. This country cannot see its trade an absolute prey to France without resistance. We seem to be where we were with Great Britain when Mr. Jay was sent there, and I cannot discern but that the spirit of the policy, then pursued with regard to England, will be the proper one now in respect to France—viz.: a solemn and final appeal to the justice and interest of France, and if this will not do, measures of self-defence. Any thing is better than absolute humiliation. France has already gone much further than Great Britain ever did.

I give vent to my impressions on this subject, though I am persuaded your own reflections cannot materially vary.

TO WILLIAM SMITH

January 19, 1797.

MY DEAR SIR:

Mrs. De Neuville, widow of Mr. De Neuville,[1] formerly of Holland, is on her way to Philadelphia to solicit the kindness of Congress in virtue of services rendered the American cause by her husband. You probably know their history, as South Carolina was particularly concerned. From what I have heard, it seems to me her pretensions, on the score of her

[1] See above to Washington, January 19, 1797.

husband, to the kindness of this country, are strong; as a distressed and amiable woman, she has a claim to everybody's kindness.

What are you about in Congress? Our affairs seem to be at a very critical point with France. We seem to be brought to the same point with her as we were with Great Britain when Mr. Jay was sent there. One last effort of negotiation to produce accommodation and redress, or measures of self-defence. Have you any thoughts of an embargo? There may be erelong a necessity for it. Are you in earnest about the additional revenue? this is very necessary.

TO THEODORE SEDGWICK

January 20, 1797.

DEAR SIR:

I received your late letter in due time. You seem to be of opinion to defer to a future period the commencement of direct taxation. I acknowledge I am inclined to lay gently hold of it now. Leaders of the opposite party favor it now, perhaps, with no good design. But it will be well to take them while in the humor, and make them share the responsibility. This will be the more easy as they are inclined to take the lead. Our external affairs are so situated, that it seems to me indispensable to open new springs of revenue, and press forward our little naval preparation, and be ready for augmenting it. But, on the whole, I have always leaned to the opinion that *half a million* from direct taxes was not enough to begin with, nor should I have proposed more.

What are we to do with regard to our good allies? Are we to leave our commerce a free prey to them? I hope not. It seems to me we are even beyond the point at which we were with Great Britain when Mr. Jay was sent thither, and that some thing like a similar plan ought to be pursued—that is, we ought to make a final effort to accommodate, and then resort to measures of defence. I believe *erelong* an embargo on *our own vessels* will be advisable—to last till the conduct of France changes, or till it is ascertained it will not change. In the last event, the following system may be adopted: to grant special letters of *marque*, with authority to repel aggressors and capture *assailants;* to equip our frigates; to arm a number of *sloops-of-war* of existing vessels to convoy our merchantmen. This may be a middle term of general hostility, though it may slide into the latter. Yet, in this case, it may be well to let France make the progress. But at all events we must protect our commerce and save our honor.

As to the balance business, the agitation has been every way unfortunate. There is not an *individual* in the State of New York who is not profoundly convinced that the settlement was *wholly artificial*, and as it regarded the rule of quoting, manifestly unjust, and consequently, that there is no justice in paying it. I never saw but one mode of getting through the business, which is for Congress to call for a certain sum of each debtor State annually, say a *fiftieth* part, declaring that if not paid, each instalment shall bear interest from the time it becomes due, but till then the principal to carry no interest.

I believe the State for harmony's sake would yield to such an arrangement. It may be said this will be only a nominal payment. I answer, true, but an *artificial balance* ought only to be *nominally* paid. The conduct of some gentlemen in the late question has pained me much. It is inconsistent with a tacit pledge of faith. Every New Yorker who had any thing to do with our fiscal arrangements has been personally compromised.

TO WASHINGTON

January 22, 1797.

SIR:

The sitting of the court and an uncommon pressure of business have unavoidably delayed an answer to your last favor. I have read with attention Mr. Pickering's letter. It is, in the main, a substantial and satisfactory paper—will, in all probability, do considerable good in enlightening public opinion at home, and I do not know that it contains any thing which will do harm elsewhere. It wants, however, in various parts, that management of expression and *suaviter in modo* which a man more used to diplomatic communications could have given it, and which would have been happy if united with its other merits.

I have reflected as maturely as time has permitted on the idea of an extraordinary mission to France, and, notwithstanding the objections, I rather incline to it under some shape or other. As an imitation of what was done in the case of Great Britain, it will argue to the people equal solicitude. To France it will

have a similar aspect (for Pinckney will be considered there as a mere substitute in ordinary course to Mr. Monroe), and will in some degree soothe her pride. The influence on party, if a man in whom the opposition has confidence is sent, will be considerable in the event of non-success; and it will be to France a bridge over which she may more easily retreat.

The best form of the thing, in my view, is a commission including three persons, who may be called commissioners plenipotentiary and extraordinary. Two of these should be Mr. Madison and Mr. Pinckney; a third may be taken from the Northern States, and I know of none better than Mr. *Cabot*, who, or any *two* of whom, may be empowered to act.

Mr. Madison will have the confidence of the French and of the opposition. Mr. *Pinckney* will have *some thing* of the same advantage in an inferior degree. Mr. *Cabot*, without being able to prevent their doing what is right, will be a salutary check upon too much Gallicism, and his *real* commercial knowledge will supply their want of it. Besides that, he will enjoy the confidence of all the friends of the Administration. His disposition to preserve peace is ardent and unqualified.

This plan, too, I think, will consist with all reasonable attention to Mr. Pinckney's feelings.

Or (which, however, I think less eligible) Mr. Madison and Mr. Pinckney only may be joint commissioners, without a third person. Mr. Cabot, if appointed without being consulted, will, I think, certainly go. If not, the other two may act without him.

The power to the commissioners will be to adjust amicably mutual compensations and the compensations which may be due by either party, and to revise and remodify the *political* and *commercial relations* of the two countries.

In the exercise of their power they must be restrained by *precise* instructions to do nothing inconsistent with our other existing treaties, or with the *principles* of construction of those with France adopted by our executive government, as declared in its public acts and communications; and nothing to extend our *political* relations in respect to alliance, but to endeavor to get rid of the mutual guaranty in the treaty, or, if that shall be impracticable, to stipulate *specific succors* in lieu of it, as so many troops, so many ships, so much money, etc.; strictly confining the *casus fœderis to future defensive wars*, after a general and complete pacification terminating the present war, and defining offensive war to be, where there is either a full declaration of war against the ally, or a *first* commission of *actual* hostility on the territory or property of the ally by invasion or capture. As to commerce, with the above restrictions, there may be full discretion. These are merely inaccurate outlines.

Unless Mr. *Madison* will go, there is scarcely another character that will afford advantage.

Cogent motives of public utility must prevail over personal considerations. Mr. Pinckney may be told, in a private letter from you, that this is an unavoidable concession to the pressure of public exigency and the state of *internal parties*.

TO TIMOTHY PICKERING

January 23, 1797.

DEAR SIR:

I remember that very early in the day, and prior to any act of Great Britain, the French passed a decree violating, with regard to all the neutral powers, the principle of *free ships, free goods*, and I think making provisions liable to seizure. This decree was afterwards rescinded as to America—then again revived, and then again revoked. I want copies of these decrees for a particular purpose useful to the government, and presuming they must be on the files of your department, you will oblige me much by letting me have copies as speedily as may be convenient.

TO TIMOTHY PICKERING

NEW YORK, Feb. 6, 1797.

DEAR SIR:

I duly received your letter of the 23d of January, with its enclosure, for which I am much obliged to you. I have read it with great pleasure. It is a substantial, satisfactory paper; will do good in this country; and as to France, I presume events will govern there.

Is it not proper to call upon the merchants to furnish your department with statements and proofs of the spoliations which we have suffered from the French, as was done when the English were in their mischievous career?

I received your other letter with certain enclosures.

TO TIMOTHY PICKERING

February 10, 1797.

DEAR SIR:

If I recollect right, Chancellor Livingston, while Secretary of Foreign Affairs, reported a censure upon our commissioners who made the peace with Great Britain, for not obeying their instructions with regard to France. Will you favor me in confidence with the real state of this business? I was at the time a member of Congress. It was immediately on the arrival of the provisional articles.

I hope, my dear sir, *effectual measures* are taking to bring us to some issue with France to ascertain whether her present plan is to be persisted in or abandoned. For, surely, our commerce ought not to be thus an undefended prey.

TO RUFUS KING

February 15, 1797.

MY DEAR SIR:

Give me leave to recall to your recollection and acquaintance Mr. De Galon the bearer of this, who, as he informs me, goes to Europe on private business. I need not observe that he is an interesting man, as you know all his titles to the attention which your situation permits you to afford.

You must not think I forget you because I do not write (for this is only my third letter). I am overwhelmed in professional business, and have scarcely a moment for any thing else.

You will have learned the terrible depredations which the French have committed upon our trade in the West Indies, on the declared principle of intercepting our whole trade with the ports of her enemies. This conduct is making the impression which might be expected, though not with that electric rapidity which would have attended similar treatment from another power. The present session of Congress is likely to be very unproductive. That body is in the situation which we foresaw certain *anti*-executive maxims would bring them to.

Mr. Adams is President, Mr. Jefferson is Vice-President. Our Jacobins say they are well pleased, and that the *lion* and the *lamb* are to lie down together. Mr. Adams' PERSONAL friends talk a little in the same way. "Mr. Jefferson is not half so ill a man as we have been accustomed to think him. There is to be a united and a vigorous administration." Skeptics like me quietly look forward to the event, willing to hope, but not prepared to believe. If Mr. Adams has *vanity* 't is plain a plot has been laid to take hold of it. We trust his real good sense and integrity will be a sufficient shield.

TO OLIVER WOLCOTT

NEW YORK, Feb. 17, 1797.

I groan, my dear sir, at the disgraceful course of our affairs. I pity all those who are officially in the vortex. The behavior of Congress in the present crisis is a new political phenomenon. They must be

severely arraigned before the bar of the public. How unfortunate that our friends suffer themselves, by their passiveness, to be confounded in the guilt.[1]

TO THEODORE SEDGWICK

February 26, 1797.

My Dear Sir:

The present inimitable course of our public affairs proves me to be a very bad politician, so that I am afraid to suggest any idea that occurs to me. Yet I will give over my timidity and communicate for your consideration a reverie which has struck me.

It is a fact that the resentment of the French Government is very much levelled at the actual President. A change of the person (however undesirable in other respects) may give a change to the passion, and may also furnish a bridge to retreat over. This is a great advantage to a new president, and the most ought to be made out of it. For it is much our interest to preserve peace, if we can with honor, and if we cannot, it will be very important to prove that no endeavor to do it has been omitted.

Were I Mr. Adams, then, I believe I should begin my presidency by naming an extraordinary commission to the French republic, and I think it would consist of three persons: Mr. Madison, Mr. Pinckney, and Mr. Cabot. I should pursue this course for several reasons, because I would have a man as influential with the French as Mr. Madison, yet I

[1] Reprinted from the *Administrations of Washington and Adams*, i., p. 443.

would not trust him alone, lest his Gallicism should work amiss, because I would not wound Mr. Pinckney, so recently sent in the same spirit; thirdly, I think Cabot would mix very useful ingredients in the cup.

The commission should be charged to make explanations, to remonstrate, to ask indemnification, and they should be empowered to make a new treaty of commerce, not inconsistent with our other treaties, and perhaps to abrogate or remodify the treaty of alliance.

That treaty can only be inconvenient to us in the future. The guaranty of our sovereignty and independence henceforth is nominal. The guaranty of the West India Islands of France, as we advance in strength, will be more and more real. In future, and in a truly defensive war, I think we shall be bound to comply efficaciously with our guaranty. Nor have I been able to see that it means less than obligation to take part in such a war with our whole force. I have no idea of treaties which are not executed.

Hence, I want to get rid of that treaty by mutual consent, or liquidate its meaning to a treaty of *definite* succor, in a clearly defensive war; so many men, so many ships, so much money, and to be furnished by one ally to the other. This, of course, must be so managed as to exclude unequivocally the present war in all its possible mutations. The idea of a definite duration would also be useful.

Such objects are important enough for *three*. In executive matters, I am as little fond as most people of plurality, but I think it pedantry to admit no ex-

ceptions to any general rule, and I believe, under the present circumstances of the case, a commission would be advisable. I give my dream of it as it occurred; you will do with it what you please.

The idea here given, to be useful ought to be executed at once. The Senate should not be permitted to disperse.

TO JAMES McHENRY.

March 22 (?), 1797.

MY DEAR FRIEND:

Take my ideas and weigh them of a proper course of conduct for our Administration in the present juncture.

You have called Congress. 'T is well.

When the Senate meets (which I should be glad to see anticipated), send a Commission Extraordinary to France. Let it consist of *Jefferson* or *Madison*, Pinckney, and a third very safe man, say, *Cabot* (or Jay).

Proclaim a religious solemnity to take place at the meeting of Congress.

When Congress meet, get them to lay an embargo, with liberty to the Executive to grant license to depart to vessels *armed* or sailing with *convoys*.

Increase the revenues vigorously and provide naval forces for *convoys*.

Purchase a number of vessels now built the most fit for sloops-of-war and cutters, and arm and commission them to serve as convoys. Grant qualified letters of marque to your merchantmen to arm,

defend themselves, and capture those who attack, but not to cruise or attack.

Form a provisional army of 25,000 men, to be engaged eventually and have certain emoluments. Increase your cavalry and artillery in immediate service.

Or do as much of all this as you can. Make a last effort for peace, but be prepared for the worst.

The Emperor Paul is at best equivocal. A successor is apt to differ from a predecessor. He seems to be a *reformer*, too. Who can say into what scale his weight may be finally thrown?

If things shall so turn that Austria is driven to make peace and England left to contend alone, who can guarantee us that France may not sport in this country a *proselyting* army?

Even to get rid of the troops if it fails may be no bad thing to the government of that country. There is a *possible* course of things which may subject us even to an internal invasion by France. Our calculations to be solid should contemplate this possibility.

I know in your Administration there is a doubt about a *Commission* or Envoy Extraordinary. I am very sorry for it, because I am sure it is an expedient measure. But perhaps France has said she will receive no minister till her grievances shall be redressed.

'T is hardly possible this can refer to any but a *minister who is to reside.* A *special extraordinary* mission cannot be intended to be excluded, because it is at least necessary to know what measure of re-

dress will satisfy if any is due. But grant she will refuse to hear.

Still, the great advantage results of showing in the most glaring light to our people, her unreasonableness, of disarming a party of the plea that all has not been done which might be done, and of refuting completely the charge that the *actual* administration desires war with France.

But the enemies of the government desire the measure. 'T is the strongest reason for adopting it. This will meet them on their own ground and shut their mouths.

But to answer the end, a man who will have their confidence must be sent—Jefferson or Madison. To do this and to be safe, others must be united—Jay, Pinckney, and Cabot. Hence the idea of a commission.

I am really, my friend, anxious that this should be your plan. Depend on it, it will unite the double advantage of silencing enemies and satisfying friends.

I write you this letter on your fidelity. *No mortal* must see it or know its contents.[1]

TO TIMOTHY PICKERING

March 22, 1797.

DEAR SIR:

It is now ascertained that Mr. Pinckney has been refused, and with circumstances of indignity. What is to be done? The share I have had in the public

[1] Now first printed entire from the Hamilton papers in the State Department. A portion of this letter is given in the *History of the Republic*, vii., 18.

administration, added to my interest as a citizen, makes me extremely anxious that at this delicate crisis a course of conduct exactly proper may be adopted. I offer to your consideration, without what appears to me ceremony, such a course.

First.—I would appoint a day of humiliation and prayer. In such a crisis this appears to me proper in itself, and it will be politically useful to impress our nation that there is a serious state of things—to strengthen religious ideas in a contest, which in its progress may require that our people may consider themselves as the defenders of their country against atheism, conquest, and anarchy. It is far from evident to me that the progress of the war may not call on us to defend our firesides and our altars. And any plan which does not look forward to this as possible, will, in my opinion, be a superficial one.

Second.—I would call Congress together at as *short a day* as a majority of both houses can assemble.

Third.—When assembled, I would appoint a commission extraordinary, to consist of Mr. Jefferson or Mr. Madison, together with Mr. Cabot and Mr. Pinckney. To be useful it is important that a man agreeable to the French should go. But neither *Madison* nor Jefferson ought to go alone. The three will give security. It will flatter the French pride. It will engage American confidence and recommend the people to what shall be eventually necessary. The commission should be instructed to explain; to ask a rescinding of the order under which we suffer, and reparation for the past—to remodify our treaties

under proper guards. On the last idea I will trouble you hereafter.

Fourth.—The Congress should be urged to take defensive measures, these to be an *embargo*, unless with convoy by special license.

1. Additional revenue for additional expenses.

2. The creation of a naval force—including the prompt purchase and equipment of sloops-of-war—this force to serve as convoys to our trade.

3. Commissions to be granted to our merchant vessels, authorizing them to arm to defend themselves; to capture when attacked, but not to cruise. The same instructions to our convoys.

4. The organization of a provisional army of twenty-five thousand men, to be ready to serve if a war breaks out—in the meantime to receive certain compensations, but not full pay. The actual increase of our establishment in artillery and cavalry.

The following considerations appear to me weighty. The Empress of Russia is dead. Successors are too apt to contradict predecessors. The new emperor may join Prussia. The emperor of Germany by this means or by the fortune of war may be compelled to make peace. England may be left alone. America may be a good outlet for troublesome armies which the government is at a loss to manage. The governing passion of the rulers of France has been revenge. Their interest is not to be calculated upon. To punish us, to force us into a greater dependence, may be the plan of France.

At any rate we shall best guarantee ourselves against calamity by preparing for the work. In this

time of general convulsion, in a state of things which threatens all civilization, 't is a great folly to wrap ourselves up in a cloak of security.

The Executive before Congress meet ought to have a *well-digested* plan and to *co-operate* in getting it adopted.

TO TIMOTHY PICKERING

NEW YORK, March 29, 1797.

DEAR SIR:

The post of yesterday brought me your letter of the day before.

I regret that the idea of a commission extraordinary appears of doubtful propriety. For after very mature reflection I am entirely convinced of its expediency. I do not understand the passage you cite as excluding the reception of a *special extraordinary minister*, but of an extraordinary resident minister. It seems impossible that the Directory can mean to say that they will shut the door to all explanation, even as to the *nature* and *measure* of the redress of grievances which they require. They speak too hastily not to authorize a large interpretation of what they say.

But if I were certain they would not hear the commission, it would not prevent my having recourse to it. It would be my policy, if such a temper exists in them, to accumulate the proofs of it with a view to union at home.

This union (I do not expect to proselyte all the leaders of faction) appears to me a predominant

consideration; and, with regard to France, more than ordinary pains are requisite to attain it.

That the enemies of the government desire the measure, is a cogent reason with me for adopting it; because I would meet them on their own ground and disarm them of the argument that all has not been done which might have been done towards preserving peace.

The *estimation* of the merit of all our past measures depends on the final preservation of peace. This, besides the interest of the country in peace, is a very powerful reason for attempting every thing. The best friends of the government will expect it, and if this expedient be not adopted, it seems to me rupture will inevitably follow.

There is an opinion industriously inculcated (which nobody better than myself knows to be false), that the *actual* administration are endeavoring to provoke a war. It is all important by the last possible sacrifice to confound this charge. I cannot but add that I have not only a strong wish, but an *extreme anxiety*, that the measure in question may be adopted.

To attain the end of it, however, it is very material to engage in the errand a man who will have the full confidence of the adverse party, and who will be agreeable to France.

This cannot be done without employing others with him. Hence the idea of a commission, which to me appears capable of attaining every advantage and obviating every danger.

I am also desirous of impressing the public mind

strongly by a religious solemnity, to take place about the meeting of Congress. I also think the step intrinsically proper.

TO OLIVER WOLCOTT

March 30, 1797.

MY DEAR SIR:

Every one who can properly appreciate the situation of our affairs at this moment, in all the extent of possible circumstances, must be extremely anxious for such a course of conduct in our government, which will unite the utmost prudence with energy. It has been a considerable time my wish, that a commission extraordinary [1] should be constituted to go to France, to *explain*, *demand*, *negotiate*, etc. I was particularly desirous that the first measure of the present president's administration should have been that. But it has not happened. I now continue to wish earnestly that the same measure may go into effect, and that the meeting of the Senate may be accelerated for that purpose. Without opening a new channel of negotiation, it seems to me the door to accommodation is shut, and rupture will follow, if not prevented by a general peace. Who, indeed, can be certain that a general pacification of Europe may not leave us alone to receive the law from France? Will it be wise to omit any thing to parry, if possible, these great risks?

Perhaps the Directory have declared they will not receive a minister till their grievances shall have been redressed.

[1] Madison, Pinckney, and Cabot.

This can hardly mean more than that they will not receive a resident minister. It cannot mean that they will not hear an extraordinary messenger, who may even be sent to know what will satisfy.

Suppose they do. It will still be well to convince the people that the government has done all in its power, and that the Directory are unreasonable.

But the enemies of the government call for the measure. To me this is a very strong reason for pursuing it. It will meet them on their own ground, and disarm them of the plea that some thing has been omitted.

I ought, my good friend, to apprise you, for you may learn it from no other, that a suspicion begins to *dawn* among the friends of the government, that the *actual* administration is not much averse to war with France. How very important to obviate this!

The accounts just received offer a great danger, that the Emperor may be compelled to make peace. *Paul* of Russia is evidently lukewarm in the cause of the allies. From lukewarmness to enmity, when fortunes take the other side, is but a step.

If England is left to bear the burthen alone, who can say that France may not venture to sport an army to this country? It may get rid of troublesome spirits.

As in the case of England, so now, my opinion is, to exhaust the expedients of negotiation; and, at the same time, to prepare *vigorously* for the worst. This is sound policy. Any omission or deficiency either way, will be a great error.

TO TIMOTHY PICKERING

April 1, 1797.

MY DEAR SIR:

I have received your letter of the 30th, with the statement enclosed. I do not believe that its publication would have any influence upon the question of a rupture with France, but yet, as it seems that those who surround the President are not agreed in the matter—as an opinion is industriously circulated that too much fuel has been added by the publications of the government—as it is important to disarm a certain party of the weapons of calumny,—as it is in general best to avoid unofficial publications of official matter—as it may be even useful, for the sake of *impression*, to reserve the disclosure till the meeting of Congress, when the accumulation of insult may be the instrument of giving a strong impulse,—I rather advise the withholding of the statement. When Congress meet, it will be very useful to have a statement ready, as the abstract of the communication, to present to the people a summary view.

Such, my dear sir, is the infatuation of a great part of our community, that it will be policy in our government to do a great deal too much to make the idea palpable that rupture was inevitable. Adieu.

Yours truly, etc.

If the statement is published, I would close with the words "January last" in the last paragraph. The residue will make a good separate newspaper paragraph. Pray, who is the emigrant alluded to?

TO OLIVER WOLCOTT

April 5, 1797.

DEAR SIR:

I have received your letter of March 31st. I hope nothing in my last was misunderstood. Could it be necessary, I would assure you that no one has a stronger conviction than myself of the purity of the motives which direct your public conduct, or of the good sense and judgment by which it is guided. If I have a fear (you will excuse my frankness), it is lest the *strength* of your feelings, the companions of energy of character, should prevent that pliancy to circumstances which is sometimes indispensable. I beg you only to watch yourself on this score, and the public will always find in you an able as well as a faithful servant.

The situation of our country, my dear sir, is singularly critical. The map of Europe is every way discouraging. There is too much reason to apprehend that the Emperor of Germany, in danger from Russia and Prussia, perhaps from the Porte, as well as from France, may be compelled to yield to the views of the latter. England, standing alone, may be driven to a similar issue. It is certain that great consternation in court and country attended the intelligence of Bonaparte's last victories. Either to be in rupture with France, united with England alone, or singly, as is possible, would be a most unwelcome situation. Divided as we are, who can say what would be hazarded by it?

In such a situation, it appeared to me we should rather err on the side of condescension than on the

opposite side. We ought to do every thing to avoid rupture, without unworthy sacrifices, and to keep in view, as a primary object, union at home.

No measure can tend more to this than an extraordinary mission. And it is certain to fulfil the ends proposed. It ought to embrace a character in whom France and the opposition have full credit. What risk can attend *Madison*, if combined, as I propose, with Pinckney and Cabot, or such a man (two deciding)? Depend on it, *Pinckney* is a man of honor, and loves his country. Cabot we both know. Besides, there ought to be certain leading instructions from which they may not deviate.

I agree with you that we have nothing to retract; that we ought to risk every thing before we submit to any dishonorable terms. But we may remould our treaties. We may agree to put France on the same footing as Great Britain by our treaty with her. We may also liquidate, with a view to *future wars*, the import of the mutual guaranty in the treaty of alliance, substituting specific succors, and defining the *casus fœderis*. But this last may or may not be done, though with me it is a favorite object.

Ingersol will not fulfil the object, but I would rather have him than do nothing.

I am clearly of opinion with you that the President shall come forward to Congress in a manly tone, and that Congress shall adopt vigorous defensive measures. Those you propose are proper, and some others on which I may write hereafter.

If Madison is well coupled, I do not think his

intrigues can operate as you imagine. Should he advocate dishonorable concessions to France, the public opinion will not support. His colleagues, by address, and showing a disposition to do enough, may easily defeat his policy, and maintain the public confidence. Besides that, it is possible too much may be taken for granted with regard to Mr. Madison.

TO WILLIAM SMITH

NEW YORK, April 5, 1797.

I have received, my dear sir, your letter of the 2d of April, (1797,) with your little work accompanying it, which I shall read with the interest I take in the author, the first leisure hour. I have cast my eye over it, and like very much the plan.

Our affairs are indeed very critical. But I am sorry to find that I do not agree with several of my friends. I am clearly of opinion for an extraordinary mission, and as clearly that it should embrace Madison. I do not think we ought to construe the declaration of the Directory against receiving a Minister Plenipotentiary, as an *extraordinary* mission *pro hac vice*. And if it does, it would be no reason with me against it. I would accumulate the proofs of French violence, and demonstrate to all our citizens that nothing possible has been omitted. That a certain party desires it is with me a strong reason for it—since I would disarm them of all plea that we have not made every possible effort for peace. The idea is a plausible one, that as we sent an Envoy

Extraordinary to Britain, so we ought to send one to France. And plausible ideas are always enough for the multitude.

These and other reasons (and principally to avoid rupture with a political monster, which seems destined soon to have no competitor but England) make me even anxious for an extraordinary mission.

And to produce the desired effect, it seems to me essential that it shall embrace a *distinguished* character agreeable to France, and having the confidence of the adverse party. Hence I think of Madison, but I think of him only as *one*, because I would not trust him alone. I would unite with him Pinckney, and some strong man from the North, Jay, Cabot, and two of the three should rule. We should then be safe.

I need not tell you that I am disposed to make no sacrifices to France. I had rather perish myself and family than see the country disgraced. But I would try hard to avoid rupture, and if that cannot be, to unite the opinions of all good citizens of whatever political denomination. This is with me a mighty object.

I will give you hereafter my ideas of what ought to be done when Congress meet. My plan ever is to combine energy with moderation.

TO RUFUS KING

April 8, 1797.

I thank you, my dear sir, for your letter of the 6th of February. The intelligence that the Directory

have ordered away our minister is every way unpleasant. It portends, too, a final rupture as the only alternative to an ignominious submission. Much public feeling has been excited; but the government, I trust and believe, will continue prudent, and do every thing that honor permits towards accommodation. It is, however, to be feared that France, successful, will be too violent and imperious to meet us on any admissible ground.

Congress are called together. I can give you no conjecture as to what will be done. Opinions are afloat. My idea is, another attempt to pacify by negotiation, vigorous preparation for war, and defensive measures with regard to our trade. But there never was a period of our affairs in which I could less foresee the state of things.

I believe there is no danger of want of firmness in the Executive. If he is not ill-advised, he will not want prudence. I mean, that he is himself disposed to a *prudently firm* course.

You know the mass of our Senate. That of our House of Representatives is not ascertained. A small majority on the right side is counted upon. In Virginia it is understood that Morgan comes in place of Rutherforth, and Evans in place of Page. The whole result of the Virginia election is not known.

The conduct of France has been a very powerful medicine for the political disease of our country. I think the community improves in soundness.

TO WILLIAM SMITH

April 10, 1797.

DEAR SIR:

Since my last to you I have perused with great satisfaction your little work on our governments. I like the execution no less than the plan. If my health and leisure should permit, I would make some notes; but you can not depend on it, as I am not only extremely occupied, but in feeble health.

I send you my ideas of the course of conduct proper in our present situation. It is unpleasant to me to know that I have for some time differed materially from many of my friends on public subjects, and I particularly regret that, at the present critical juncture, there is in my apprehension much danger that *sensibility* will be an overmatch for policy. We seem now to feel and reason as the *Jacobins* did when Great Britain insulted and injured us, though certainly we have at least as much need of a temperate conduct now as we had then. I only say, God grant that the public interest may not be sacrificed at the shrine of irritation and mistaken pride. Farewell.

TO OLIVER WOLCOTT

NEW YORK, April 13, 1797.

MY DEAR SIR:

The post of to-day brought me a letter from you. I am just informed that an order is come to the custom-house not to clear out any vessels if armed, unless destined for the East Indies. Under the present circumstances, I very much doubt the ex-

pediency of this measure. The excesses of France justify passiveness in the government; and its inability to protect the merchants requires that it should leave them to protect themselves. Nor do I fear that it would tend to rupture with France, if such be not her determination otherwise. The legality of this prohibition cannot be defended; it must stand on its necessity. It would, I think, have been enough to require security that the vessel is not to be employed to cruise against any of the belligerent powers. Perhaps even now, where vessels have been armed previous to the receipt of the prohibition, it is safe and advisable to except them on the condition of such security. Think of this promptly. The general measure may be further considered at leisure. Nor am I prepared to say that, having *been taken*, it ought to be revoked.

I will send you shortly some remarks in reply to questions you propose.

TO —— HAMILTON

ALBANY, STATE OF NEW YORK, May 2, 1797.

MY DEAR SIR:

Some days since I received with great pleasure your letter of the 10th of March. The mark it affords of your kind attention, and the particular account it gives me of so many relations in Scotland are extremely gratifying to me. You, no doubt, have understood that my father's affairs at a very early day went to wreck, so as to have rendered his

situation during the greatest part of his life far from eligible. This state of things occasioned a separation between him and me, when I was very young, and threw me upon the bounty of my mother's relatives, some of whom were then wealthy, though by vicissitudes to which human affairs are so liable, they have been since much reduced and broken up. Myself, at about sixteen, came to this country. Having always had a strong propensity to literary pursuits, by a course of study and laborious exertion, I was able, by the age of nineteen, to qualify myself for the degree of Bachelor of Arts in the College of New York, and to lay the foundation by preparatory study for the future profession of the law.

The American Revolution supervened. My principles led me to take part in it; at nineteen, I entered into the American army as captain of artillery. Shortly after I became, by his invitation, aide-de-camp to General Washington, in which station I served till the commencement of that campaign which ended with the siege of York in Virginia, and the capture of Cornwallis' army. The campaign I made at the head of a corps of light infantry, with which I was present at the siege of York, and engaged in some interesting operations.

At the period of the peace with Great Britain I found myself a member of Congress, by appointment of the legislature of this State.

After the peace, I settled in the city of New York, in the practice of the law, and was in a very lucrative course of practice, when the derangement of our public affairs, by the feebleness of the general confedera-

tion, drew me again reluctantly into public life. I became a member of the Convention which framed the present Constitution of the United States; and having taken part in this measure, I conceived myself to be under an obligation to lend my aid towards putting the machine in some regular motion. Hence, I did not hesitate to accept the offer of President Washington to undertake the office of Secretary of the Treasury.

In that office I met with many intrinsic difficulties, and many artificial ones, proceeding from passions, not very worthy, common to human nature, and which act with peculiar force in republics. The object, however, was effected of establishing public credit and introducing order in the finances.

Public office in this country has few attractions. The pecuniary emolument is so inconsiderable as to amount to a sacrifice to any man who can employ his time with advantage in any liberal profession. The opportunity of doing good, from the jealousy of power and the spirit of faction, is too small in any station to warrant a long continuance of private sacrifices. The enterprises of party had so far succeeded as materially to weaken the necessary influence and energy of the executive authority, and so far diminish the power of doing good in that department, as greatly to take away the motives which a virtuous man might have for making sacrifices. The prospect was even bad for gratifying in future the love of fame, if that passion was to be the spring of action.

The union of these motives, with the reflections of

prudence in relation to a growing family, determined me as soon as my plan had attained a certain maturity, to withdraw from office. This I did by a resignation about two years since, when I resumed the profession of the law in the city of New York under every advantage I could desire.

It is a pleasant reflection to me, that since the commencement of my connection with General Washington to the present time, I have possessed a flattering share of his confidence and friendship.

Having given you a brief sketch of my political career, I proceed to some further family details.

In the year 1780, I married the second daughter of General Schuyler, a gentleman of one of the best families of this country, of large fortune, and no less personal and political consequence. It is impossible to be happier than I am in a wife; and I have five children, four sons and a daughter, the eldest a son somewhat past fifteen, who all promise as well as their years permit, and yield me much satisfaction. Though I have been too much in public life to be wealthy, my situation is extremely comfortable, and leaves me nothing to wish for but a continuance of health. With this blessing, the profits of my profession and other prospects authorize an expectation of such addition to my resources, as will render the eve of life easy and agreeable; so far as may depend on this consideration.

It is now several months since I have heard from my father, who continued at the island of St. Vincent. My anxiety at this silence would be greater than it is, were it not for the considerable interrup-

tion and precariousness of intercourse which is produced by the war.

I have strongly pressed the old gentleman to come and reside with me, which would afford him every enjoyment of which his advanced age is capable; but he has declined it on the ground that the advice of his physicians leads him to fear that the change of climate would be fatal to him. The next thing for me is, in proportion to my means, to endeavor to increase his comforts where he is.

It will give me the greatest pleasure to receive your son Robert at my house in New York, and still more to be of use to him; to which end, my recommendation and interest will not be wanting, and I hope not unavailing. It is my intention to embrace the opening which your letter affords me to extend my intercourse with my relations in your country, which will be a new source of satisfaction to me.

TO TIMOTHY PICKERING

May 11, 1797.

My Dear Sir:

On my return here I found your letter of the 29th. The sitting of a court of chancery, and important business there, have unavoidably delayed a reply; now, it must be much more cursory than I could wish.

As to the mission, in some shape or other, the more I have reflected upon it, the more has it appeared to me indispensable. To accomplish, with certainty,

a principal object of it—the silencing of Jacobin criticism, and promoting union among ourselves,—it is *very material* to engage in it a person who will have the Jacobin confidence; else, if France should still refuse to receive, or if receiving, the mission should prove unsuccessful, it will be said that this was because a suitable agent was not employed. Hence, my mind was led to Jefferson or Madison; but, as it would be unsafe to trust either alone, the idea of associates occurs as an essential part of the plan. This, likewise, is an expedient for saving Mr. Pinckney's feelings.

But will either of them go on this footing? If offered, and they refuse, they will put themselves in the wrong; for on so great an emergency, they cannot justifiably decline the service without a good reason; and it would not be a good reason for refusal, that there was to be a *commission*. The refusal, too, if it happened, would furnish a reply to Jacobin clamor. It was offered to your leaders, and they would not act.

I confide in Pinckney's integrity and federal attachments; why, then, name a third? Because, first, two may disagree, and there may be *inaction*. Second, though I have the confidence I mention, I think Pinckney has had too much French leaning to consider him, in conjunction with Jefferson or Madison, as perfectly safe. A third on whom perfect reliance could be placed would secure Pinckney's cooperation. I do consider him, as in some sort, a *middle* character.

As to the two gentlemen named (Jefferson and

Madison), it may be fairly observed to either of them that the combination of character is essential to combine the confidence of the country, and to render the result, whatever it may be, acceptable. It may also be observed that delicacy to Mr. Pinckney dictates this course—not to exclude him after what has happened. To Mr. Pinckney the state of parties here may also be pleaded.

The French Directory may also be made to understand indirectly that the association has proceeded from a desire in the Executive to unite confidence in the mission and secure its success at home.

I should not despair that in such a crisis men of opposite politics might agree. I verily believe that Jefferson, *Pinckney*, and King would agree. There might be a *joint* commission for action and a separate commission to Jefferson as envoy or ambassador extraordinary for *representation*.

I miscalculate if Jefferson will not be anxious for peace. I only fear that alone he would give too much for it.

If this plan is thought liable to too strong objections, the next best thing is to send the commission of *ambassador extraordinary* to *Pinckney*, and send him also some *clever fellow* as secretary of embassy.

But I repeat it with extreme solicitude, another mission is absolutely indispensable.

On the subject of permitting our vessels to arm, there is some difficulty. You are right in the idea that merchant vessels under the convoy of ships-of-war are exempt from search. But I know no book where it is to be found. Yet I have so constantly

understood it to be the usage, that I venture to rely upon it. But I believe the privilege is confined to *public ships* of war, and could not, according to usage, be transferred to private armed vessels. The measure must, therefore, be justified by the extremity.

Moreover, I understand no other consequence as resulting from the being armed than that it exposes the vessel to confiscation for resisting a search. It is no breach of neutrality to permit the being armed.

But I would avoid the *formality* of a commission, and would substitute some *permit*, perhaps to be signed by the head of a department. This should be united with great precautions to prevent *abuse* by cruising, by driving *contraband trade* by transfers to foreigners.

At all events our trade must have protection; for our whole mercantile capital will else be destroyed, our seamen lost, and our country involved in extreme distress.

As to a provisional army, I reason thus: no plan of a militia which is not the equivalent, in other words, which is not under a positive engagement to constitute a *permanent army in case of invasion*, will be worth any thing. For we want a *stable* force created beforehand to oppose to the first torrent, which, with mere militia, would involve incalculable dangers and calamities. Hence, as a substitute for a standing army, I offer a provisional one. It would be composed thus: the *officers* to be *appointed by the United States* and rank with those of the establishment, to receive some pay till called into actual service—say

half, a third, or a fourth; those employed to *recruit* to be fully paid.

The men to be regularly *enlisted* upon condition not to be called into actual service, *except in case of invasion*, and then to serve during the war; to receive a *uniform* coat and a *dollar*, perhaps *two dollars* per month when not in the field; to be obliged to assemble for exercise so many days in the year, and then to have full pay and rations; when called into actual service to have the same compensations, etc., with the establishment; in short, to become part of it. To be armed by the United States; to be liable from the beginning to the articles of war.

I think such a corps, from the *certainty of advantage*, and the *uncertainty of service*, might be engaged sooner than a standing force, and, with precautions in the enlistment, would be a solid resource in case of need.

I am much attached to the idea of a large corps of *efficient* cavalry, and I cannot allow this character to militia. It is all-important to an undisciplined against a disciplined army. It is a species of force not easy to be brought by an invader—by which his supplies may be cut off and his activity extremely checked. Were I to command an undisciplined army, I should prefer half the force with a good corps of cavalry to twice the force without one.

TO TIMOTHY PICKERING

Saturday, May 13, 1797.

MY DEAR SIR:

Mr. Goodhue takes on with him a Boston paper, the printer of which states that he has obtained, by a ship just arrived, a London paper of March 24th, mentioning in positive terms an account just received from the Emperor, that in consequence of a combination between Prussia and France, he is driven to the necessity of making an *immediate peace for the safety of the empire;* that in consequence of this, the king, who was at Windsor, had been sent for, etc.

The manner of announcing it is too positive to allow much doubt that the thing is substantially true.

This intelligence confirms the expediency of a further attempt to *negotiate*, but I hope it will not carry us too far. A firm and erect countenance must be maintained, and the vigor of preparation increased. Safety can only be found in uniting energy with moderation. Honor certainly is only to be found there, and either as a *man* or *citizen*, I, for one, had rather perish than submit to disgrace.

TO RUFUS KING

June 6, 1797.

I thank you, my dear sir, for two letters lately received from you, the last by Mr. Church. I feel very guilty for my negligence. But how can I help it?

The public prints will inform you of the course of public proceedings hitherto. You will perceive that the general plan is analogous to what was done in the

case of Great Britain, though there are faults in the detail. Some people cannot learn that the only force which befits a government is in the *thought* and *action*, not in *words*, and many reverse the golden rule. I fear we shall do ourselves no honor in the result, and we shall remain at the mercy of events, without those efficient preparations which are demanded by so precarious situations; and which, not provoking war, would put us in condition to meet it. All the consolation I can give is, that the public temper of this country mends daily, and that there is no final danger of our submitting tamely to the yoke of France.

TO OLIVER WOLCOTT

June 6, 1797.

My Dear Sir:

You some time ago put a question to me which, through hurry I never answered, viz.—whether there can be any distinction between the provision in the treaty with Great Britain respecting *British debts* and that respecting *spoliations as to the power* of the commissioners to rejudge the decisions of the *courts?* I answer that I can *discover* none.

I am of the opinion, however, that in the exercise of this power two principles ought to be strenuously insisted upon. One—that the commissioners ought not to intermeddle but when it is unequivocally ascertained that justice cannot *now* be obtained through our courts. The *other*—that there ought to be no revision of the question of interest where abatements were made by juries undirected by any special

statute. For it is certain that interest is capable of being affected by circumstances, and that the law leaves a considerable discretion on this point with juries. I take it for granted also, that where compromises were made between *creditor* and *debtor* without the intervention of courts, or the injunctions of positive law, there will be no revision. This is all a very delicate subject, one upon which great moderation on the part of the British commissioners is very important to future harmony.

I like very well the course of Executive conduct in regard to the controversy with France, and I like the answer of the Senate in regard to the President's speech.

But I confess, I have not been well satisfied with the answer reported in the House. It contains too many hard expressions; and *hard words* are very rarely useful in public proceedings. Mr. Jay and other friends here have been struck in the same manner with myself. We shall not regret to see the answer softened down. *Real firmness* is good for every thing. *Strut* is good for nothing.

Last session I sent Sedgwick, with request to communicate to you, my project of a *building* tax. Enclosed is the rough sketch. I do not know whether there was any alteration in the copy sent to him.

But the more I reflect, the more I become convinced that some such plan ought to be adopted, and the idea of *valuation* dropped, and I have also become convinced that the idea of a tax on *land* ought to be deferred. The building tax can be accommodated to the *quota*-rule. For what were in-

tended as *rates* may be considered as *ratios* of each individual's tax only, and then, as the *aggregate* of these *ratios* within a State is to the *sum* of the ratios on a particular building, so will the sum to be raised in the State be to the sum to be paid by the owner of that building, and so the very bad business of *valuations* may be avoided in general. In regard to *stores, if they are comprehended*, rents or valuations may be adopted, and these rents may also be represented by *ratios* equivalent to the proportion of the specific *ratios* to the rents of houses to be estimated in the law.

If these ideas are not clear I will on your desire give a further explanation.

My plans of *ways* and *means* then for the present would be:

A tax on *buildings* equal to	$1,000,000
On *stamps*, including a small percentage on policies of insurance and a percentage on collateral successions	500,000
A duty on hats, say 5 per cent. for the commonest kind, 10 per cent. for the middling, and 20 for the best, to be decided by the materials	
On saddle-horses —— dollars per horse	250,000
On salt, so much as will make the *whole* duty 25 cents—suppose	250,000
	$2,000,000

I should like also a remodification of the duties on licenses to sell spirituous liquors by multiplying *discriminations*.

I would then open a loan for five millions of dollars, to be repaid absolutely within *five years*, upon which I would allow a high interest, say eight per cent., payable quarterly, and redeemable *at pleasure* by paying off, and I would accept subscriptions as low as one hundred dollars. In case of pressure, Treasury-bills bearing a like interest may be used.

If unfortunately *war breaks out*, then every practicable object of taxation should at once be seized hold of, so as to carry our revenue in the first instance to the extent of our ability. Nor is the field narrow.

I give you my ideas full *gallop* and without management of expression. I hope you always understand me a-right and receive my communications as they are intended, in the spirit of *friendly* frankness.

TO OLIVER WOLCOTT

June 8, 1797.

DEAR SIR:

I have received your two letters of the 6th and 7th. The last announced to me no more than I feared. Nor do I believe any sufficient external impulse can be given to save us from *disgrace*. This, however, will be thought of.

I regret that you appear remote from the idea of a house tax simply, without combining the land. I do not differ from your general principle. The truth is a solid one that the sound state of political economy depends, in a great degree, on a general repartition of taxes on taxable property, by some equal rule.

But it is very important to relax in theory, so as to accomplish as much as may be practicable. I despair of a general land tax without actual war. I fear the idea of it; it keeps men from the augmentation of revenue by other means which they might be willing to adopt. The idea of a house tax alone is not so formidable. If placed upon a footing which would evince practicability and moderation in the sum, I think it might succeed. Now, one million of dollars, computing the number of houses at six hundred thousand, would be an average of about a dollar and a half. The tax would be very *low* on the worst houses, and could not be *high* on the best. This idea would smooth a great deal.

As to the circumstance of the habitations of the Southern negroes, I see no insuperable difficulty in applying ratios to them which would tend to individual equity. As between the States, the quota principle would make this point unimportant.

As to the inequality in certain States, I believe, on the plan suggested, there could be no general tax which in fact would operate more equally. The idea of equalization by embracing lands does not much engage my confidence. Besides that, this may be an after-object, and we are to gain points successively.

As to the productiveness of the stamp tax, with the items I suggest, it is difficult, in the first instance, to judge. But I am persuaded it would go far towards the point aimed at. There cannot be much fewer than three millions of hats consumed in a year in this country. At an average of eight cents per

hat, this would be two hundred and forty thousand dollars, a large proportion of the five hundred thousand dollars. If law proceedings can be included, directly or indirectly, the produce will be very considerable. I think you mistake when you say these taxes in England are inconsiderable in proportion. According to my recollection, the reverse is the truth.

TO TIMOTHY PICKERING

August 27, 1797.

DEAR SIR:

Some time since I received the enclosed, being directions concerning measures requisite to be pursued to obtain indemnification in case of capture by British cruisers. I laid it by in haste, and have since overlooked it. I do not recollect to have seen it in the newspapers, and yet it appeared to me necessary that it should be so. As it came to me from some one of our public characters in London, I presume you must have received the equivalent. I am curious to know if this has been the case, and if any thing has been done upon it.

After perusal, and making such use as you may think proper, you will oblige me by returning it.

TO WASHINGTON

NEW YORK, August 28, 1797.

MY DEAR SIR:

The receipt two days since of your letter of the 21st instant gave me sincere pleasure. The token of your

regard which it announces is very precious to me, and will always be remembered as it ought to be.

Mrs. Hamilton has lately added another boy to our stock; she and the child are both well. She desires to be affectionately remembered to Mrs. Washington and yourself.

We have nothing new here more than our papers contain, but are anxiously looking forward to a further development of the negotiations in Europe, with an ardent desire for general accommodation. It is at the same time agreeable to observe that the public mind is adopting more and more sentiments truly American, and free from foreign tincture.

I beg my best respects to Mrs. Washington.

TO OLIVER WOLCOTT

November 20, 1797.

DEAR SIR:

Give me leave to remind you of your promise to send me the documents and information which authenticate the situation of Mr. Beaumarchais as to the unaccounted-for *million*.

Allow me also to mention to you another point. I hear there is a plan among the directors of the bank to transfer the management of their concerns from the house of *Cazenove* to that of Baring. When the arrangement was originally upon the tapis, I felt some preference to the house of *Baring* as of more known solidity. But after its having taken a different course I should regret a change unless upon grounds which I am persuaded do not exist—cir-

cumstances of insecurity in the conduct of affairs of the existing agents. I verily believe they unite prudence and solidity. The change might, without cause, injure their *credit* and do them *positive* harm. It was one thing to have entrusted them in the first instance. It is another to recall that trust, which neither justice nor the reputation of the bank will countenance, but for valid reasons of change of opinion. My friendship for Mr. Cazenove, the father, corresponds with my sense of propriety to induce the wish that you may see fit to exert your influence in every proper way to prevent a change.[1]

TO OLIVER WOLCOTT

1797.

DEAR SIR:

I thank you for your last letter. The opinion with regard to the conduct of the President is very important.

As to our finances, all will be well if our councils are wise and vigorous; if not, all will go to ruin. I fear there is not among the friends sufficient capaciousness of views for the greatness of the occasion.

I send the enclosed because it requires correction.[1]

TO RUFUS KING

(Probably March, 1798.)

It is a great while, my dear friend, since I have written to you a line. You will not, I am sure, im-

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

pute my silence to any cause impeaching my friendship, for that must be always cordial and entire. The truth is that my professional avocations occupy me to the extent of the exertions my health permits, and I have been unwilling to sit down to write you without leisure to say some thing interesting. But I now depart from the rule, that my persevering silence may not make me sin beyond redemption. I have, however, only time to tell you that your friends are generally well, and as much attached to you as ever, and that I hear of no cabals against you.

Being just returned from Albany, I would say nothing about the political juncture as it is affected by the unpleasant advices from our commissioners in France. I will only say, that the public mind is much sounder than that of our representatives in the national council, and that there is no danger of our entirely disgracing ourselves—that is, by any unworthy compliances with the exorbitant pretensions of "The Great MONSTER." [1]

TO TIMOTHY PICKERING

NEW YORK, March 17, 1798.

DEAR SIR:

I make no apology for offering you my opinion on the present state of our affairs.

I look upon the question before the public as nothing less than whether we shall maintain our independence; and I am prepared to do it in every

[1] *Soi-disant*, "The Great Nation."

event, and at every hazard. I am therefore of opinion that our Executive should come forth on this basis.

I wish to see a *temperate*, but *grave*, *solemn*, and *firm* communication from the President to the two houses on the result of the advices from our commissioners; this communication to review summarily the course of our affairs with France from the beginning to the present moment; to advert to her conduct towards the neutral powers generally, dwelling emphatically on the last decree respecting vessels carrying British manufactures, as an unequivocal act of hostility against all of them; to allude to the dangerous and vast projects of the French government; to consider her refusal to receive our ministers as a virtual denial of our independence, and as evidence that, if circumstances favor the plan, we shall be called to defend that independence, our political institutions, and our liberty, against her enterprises; to conclude, that leaving still the door to accommodation open, and not proceeding to final rupture, our duty, our honor, and safety, require that we shall take vigorous and comprehensive measures of defence, adequate to the immediate protection of our commerce, to the security of our ports, and to our eventual defence in case of invasion, and with a view to these great objects, calling forth and organizing all the resources of the country. I would, at the same time, have the President to recommend a day of fasting, humiliation, and prayer. The occasion renders it proper, and religious ideas will be useful. I have this last measure at heart.

The measures to be advocated by our friends in Congress to be these:

I.—Permission to our merchant vessels to arm and to capture those which may attack them.

II.—The completion of our frigates, and the provision of a considerable number of sloops-of-war not exceeding twenty guns. Authority to capture all attacking, and privateers found within twenty leagues of our coast.

III.—Power to the President, in general terms, to provide and equip ten ships of the line in case of open rupture with any foreign power.

IV.—The increase of our military establishment to twenty thousand, and a provisional army of thirty thousand, besides the militia.

V.—The efficacious fortification of our principal ports, say Portsmouth, Boston, Newport, New London, New York, Philadelphia, Norfolk, Baltimore, Wilmington, N. C., Charleston, Savannah. It is waste of money to be more diffusive.

VI.—The extension of our revenue to all the principal objects of taxation, and a loan commensurate with the contemplated expenditures.

VII.—The *suspension* of our treaties with France till a basis of connection shall be re-established by treaty.

In my opinion, bold language and bold measures are indispensable. The attitude of *calm defiance* suits us. It is vain to talk of peace with a power with which we are actually in hostility. The election is between a tame surrender of our rights or a state of mitigated hostility. Neither do I think that

this state will lead to general rupture if France is unsuccessful; and if successful, there is no doubt in my mind that she will endeavor to impose her yoke upon us.

P. S.—If Robert Troup resigns his office of district judge, the President cannot make a better choice than of Samuel Jones, Esq., the present Comptroller of the State. I understand he will accept.

TO THEODORE SEDGWICK

March, 1798.

The President ought to make a solemn and manly communication to Congress—the language grave and firm, but without invective, in which, after recapitulating the progress of our controversy with France, the measures taken toward accommodation, and stating their degrading result, he ought to advert to the extremely critical posture of Europe, the excessive pretensions of France externally, her treatment of the neutral powers generally, and dwelling emphatically on the late violent invasion of their commerce, as an act destructive of the independence of nations, to state that eventual dangers of the most serious kind hang over us, and that we ought to consider ourselves as bound to provide with the utmost energy for the immediate security of our invaded rights, and for the ultimate defence of our liberty and independence, and conclude with a recommendation in general terms to adopt efficient

measures for increasing our revenue, for protecting our commerce, for guarding our sea-ports, and ultimately for repelling invasion; intimating also, that the relations of treaty which have subsisted between us and France, and which have been so entirely disregarded by her, ought not to remain by our Constitution and laws binding upon us, but ought to be suspended in their operations, till an adjustment of differences shall re-establish a basis of connection and intercourse between two countries, taking especial care, however, that merely defensive views be indicated.[1]

TO TIMOTHY PICKERING

(Post-marked March 23, 1798.)

MY DEAR SIR:

I understand that the Senate have called upon the President for papers. Nothing certainly can be more proper; and such is the universal opinion here; and it appears to me essential that as much as possible can be communicated. Confidence will otherwise be wanting, and criticism will ensue which it will be difficult to repel. The observation is that Congress are called upon to discharge the most important of all their functions, and that it is too much to expect that they will rely on the influence of the Executive from materials which may be put before them. The recent examples of the British king are cited. Pray, let all that is possible be done.

[1] Reprinted from the *History of the Republic*, vii., 114.

TO TIMOTHY PICKERING

10 o'clock, Tuesday, March 27, 1798.

MY DEAR SIR:

I have this moment received your two favors of the 25th. I am delighted with their contents, but it is impossible for me to reply particularly to them so as to reach you *to-morrow* as you desire. I will therefore confine myself to one point. I am against going immediately into alliance with Great Britain. It is my opinion that her interests will insure us her co-operation to the extent of her power, and that a treaty will not secure her further. On the other hand, a treaty might entangle us. Public opinion is not prepared for it. It would not fail to be represented as to the *point to which our previous conduct was directed;* and, in case of offers from France satisfactory to us, the public faith might be embarrassed by the calls of the people for accommodation and peace.

The *desideratum* is that Britain could be engaged to lodge with her *minister here* powers commensurate with such arrangement as exigencies may require and the progress of opinion permit. I see no good objection on her part to this plan.

It would be good policy in her to send to this country a dozen frigates to pursue the directions of this government.

If *Spain* would cede Louisiana to the United States, I would accept it absolutely if obtainable absolutely, or with an engagement to *restore*, if it cannot be obtained absolutely. I shall write again to-morrow.

TO JOHN JAY

NEW YORK, April 24, 1798.

DEAR SIR:

I have received your two favors of the 19th instant. I feel, as I ought, the mark of confidence they announce. But I am obliged by my situation to decline the appointment. This situation you are too well acquainted with to render it necessary for me to enter into explanation. There may arrive a crisis when I may conceive myself bound once more to sacrifice the interests of my family to public call. But I must defer the change as long as possible.

I do not at present think of a person to recommend adapted to the emergency. I shall reflect and consult, and write you by the next post. This, the first day, is not decisive of our election here, but there is as yet nothing to discourage.[1]

TO JAMES McHENRY

May 17, 1798.

MY DEAR SIR:

I have received your letter of the 12th instant. Not having seen the law which provides the *naval armament*, I cannot tell whether it gives any new power to the President; that is, any power whatever with regard to the employment of the ships. If not, and he is left at the foot of the Constitution, as I understand to be the case, I am not ready to say that he has any other power than merely to employ the ships as convoys, with authority to *repel* force

[1] Jay was at this time Governor of New York, and he had written Hamilton, asking his permission to appoint him U. S. Senator in place of Judge Hobart, who had resigned.

by *force* (but not to capture), and to repress hostilities within our waters, including a marine league from our coasts.

Any thing beyond this must fall under the idea of *reprisals*, and requires the sanction of that department which is to declare or make war.

In so delicate a case, in one which involves so important a consequence as that of war, my opinion is that no doubtful authority ought to be exercised by the President; but, that as different opinions about his power have been expressed in the House of Representatives, and no special power has been given by the law, it will be expedient for him, and his duty, and the true policy of the conjuncture, to come forward by a message to the two houses of Congress, declaring that "*so far* and *no farther*" he feels himself *confident* of his authority to go in the employment of the naval force; that as, in his opinion, the depredations on our trade demand a more extensive protection, he has thought it his duty to bring the subject under the review of Congress by a communication of his opinion of his own powers, having no desire to exceed the constitutional limits.

This course will remove all clouds as to what the President will do; will gain him credit for frankness and an unwillingness to chicane the Constitution, and will return upon Congress the question in a shape which cannot be eluded.

I presume you will have heard before this reaches you that a French privateer has made captures at the mouth of our harbor. This is too much humiliation after all that has passed.

Our merchants are very indignant; our government very prostrate in the view of every man of energy.

TO RUFUS KING

May, 1798.

My Dear Sir:

It is a great while since I received a line from you, nor, indeed, have I deserved one; the vortex of business in which I have been having kept me from writing to you. At this moment, I presume, you will not be sorry to know my opinion as to the course of our public affairs.

In Congress a good spirit is gaining ground, and, though measures march slowly, there is reason to expect that almost every thing which the exigency requires will be done. The plan is present defence against depredations by sea, and preparations for eventual danger by land. In the community, indignation against the French Government, and a firm resolution to support our own, discover themselves daily by unequivocal symptoms. The appearances are thus far highly consoling.

But, in this posture of things, how unfortunate is it that the new instructions offered by Great Britain, which appear, according to the reports of the day, to be giving rise to many abusive captures of our vessels, are likely to produce a counter-current, and to distract the public dissatisfaction between two powers, who, it will be said, are equally disposed to plunder and oppress. In vain will it be urged that the British Government cannot be so absurd as at

such a juncture to intend us injury. The effects will be alone considered, and they will make the worst possible impression. By what fatality has the British Cabinet been led to spring any new mine, by new regulations, at such a crisis of affairs? What can be gained to counteract the mischievous tendency of abuses? Why are weapons to be furnished to our Jacobins?

It seems the captured vessels are carried to the Mole, where there is a virtuous judge, of the name of *Cambault*, disposed to give sanction to plunder in every shape. Events are not yet sufficiently unfolded to enable us to judge of the extent of the mischief, but nothing can be more unlucky than that the door has been opened. The recency of the thing may prevent your hearing any thing about it from the government by this opportunity.

P. S.—It is said privateers are fitting out at Antigua and St. Kitts.

TO WASHINGTON

NEW YORK, May 19, 1798.

MY DEAR SIR:

At the present dangerous crisis of public affairs, I make no apology for troubling you with a political letter. Your impressions of our situation, I am persuaded, are not different from mine. There is certainly great probability that we may have to enter into a very serious struggle with France; and it is more and more evident that the powerful faction which has for years opposed the government, is

determined to go every length with France. I am sincere in declaring my full conviction, as the result of a long course of observation, that they are ready to *new-model* our Constitution under the *influence* or *coercion* of France, to form with her a perpetual alliance, *offensive* and *defensive*, and to give her a monopoly of our trade by *peculiar* and *exclusive* privileges. This would be in substance, whatever it might be in name, to make this country a province of France. Neither do I doubt that her standard, displayed in this country, would be directly or indirectly seconded by them, in pursuance of the project I have mentioned.

It is painful and alarming to remark, that the opposition faction assumes so much a geographical complexion. As yet, from the south of Maryland nothing has been heard but accounts of disapprobation of our government, and approbation of or apology for France. This is a most portentous symptom, and demands every human effort to change it.

In such a state of public affairs, it is impossible not to look up to you, and to wish that your influence could in some proper mode be brought into direct action. Among the ideas which have passed through my mind for this purpose, I have asked myself whether it might not be expedient for you to make a circuit through Virginia and North Carolina, under some pretence of health, etc. This would call forth addresses, public dinners, etc., which would give you an opportunity of expressing sentiments in answers, toasts, etc., which would throw the weight of your character into the scale of the government, and

revive an enthusiasm for your person, that may be turned into the right channel.

I am aware that the step is delicate, and ought to be well considered before it is taken. I have even not settled my own opinion as to its propriety, but I have concluded to bring the general idea under your view, confident that your judgment will make a right choice; and that you will take no step which is not well calculated. The conjuncture, however, is extraordinary, and now, or very soon, will demand extraordinary measures.

You ought also to be aware, my dear sir, that in the event of an open rupture with France, the public voice will again call you to command the armies of your country; and, though all who are attached to you will, from attachment, as well as from public considerations, deplore an occasion which should once more tear you from that repose to which you have so good a right, yet it is the opinion of all those with whom I converse, that you will be compelled to make the sacrifice. All your past labor may demand to give it efficacy this further, this very great sacrifice. Adieu, my dear sir.

TO WASHINGTON

NEW YORK, June 2, 1798.

MY DEAR SIR:

I have before me your favor of the 27th of May. The suggestion in my last was an indigested thought, begotten by my anxiety. I have no doubt that your view of it is accurate and well founded.

It is a great satisfaction to me to ascertain what I

had anticipated in hope, that you are not determined in an *adequate emergency* against affording once more your military services. There is no one but yourself that would unite the public confidence in such an emergency, independent of other considerations, and it is of the last importance that this confidence should be *full and complete*. As to the wish of the country, it is certain that it will be *ardent and universal*. You intimate a desire to be informed what would be my part in such an event as to entering into military service. I have no scruple about opening myself to you on this point. If I am invited to *a station in which the service I may render may be proportionate to the sacrifice I am to make*, I shall be willing to go into the army. If you command, the place in which I should hope to be most useful is that of Inspector-General, with a command in the line. This I would accept. The public must judge for itself as to whom it will employ, but every individual must judge for himself as to the terms on which he will serve, and consequently must estimate his own pretensions.

I have no knowledge of any arrangement contemplated, but I take it for granted the service of all the former officers worth having may be commanded, and that your choice would regulate the Executive. With decision and care in the selection an excellent army may be formed.

The view you give of the prospects in the South is very consoling. The public temper seems everywhere to be travelling to a right point. This promises security to the country in every event.

TO OLIVER WOLCOTT

NEW YORK, June 5, 1798.

MY DEAR SIR:

The answer from the President to the Commander-in-Chief, etc., of New Jersey, contains in the close a very indifferent passage. The sentiment is intemperate and revolutionary. It is not for us, particularly for the government, to breathe an irregular or violent spirit. Hitherto I have much liked the President's answers, as, in the main, within proper bounds, and calculated to animate and raise the public mind. But there are limits which must not be passed, and from my knowledge of the ardor of the President's mind, and this specimen of the effects of that ardor, I begin to be apprehensive that he may run into indiscretion. This will do harm to the government, to the cause, and to himself. Some hint must be given, for we must make no mistakes.

Enclosed is a sketch of some ideas which have run through my mind. They are perhaps none of them new, but they are offered as the evidence of my opinion on the point. As yet we are far short of the point of vigor.

Further measures advisable to be taken without delay.

First.—To authorize the President to proceed forthwith to raise the ten thousand men already ordered.

Secondly.—To establish an academy for naval and military instruction. This is a very important measure, and ought to be permanent.

Thirdly.—To provide for the immediate raising of

a corps of non-commissioned officers, viz.: *sergeants and corporals*, sufficient, with the present establishment, for an army of fifty thousand men. The having these men prepared and *disciplined* will accelerate extremely the disciplining of an additional force.

Fourthly.—To provide, before Congress rise, that in case it shall appear that an invasion of this country by a large army is actually on foot, there shall be a draft from the militia, to be classed, of a number sufficient to complete the army of fifty thousand men. Provision for volunteers in lieu of drafts. A bounty to be given.

Fifthly.—To authorize the President to *provide* a further naval force of six ships of the line and twelve frigates, with twenty small vessels not exceeding sixteen guns. It is possible the ships of the line and frigates may be purchased of Great Britain, to be paid for in *stock*. We ought to be ready to cut up all the small privateers and gun-boats in the West Indies, so as at the same time to distress the French islands as much as possible, and protect our own trade.

Sixthly.—Is not the independence of the French colonies, under the guaranty of the United States, to be aimed at? If it is, there cannot be too much promptness in opening negotiations for the purpose. Victor Hugues is probably an excellent subject. This idea, however, deserves mature consideration.

Seventhly.—It is essential the Executive should have half a million of secret-service money. If the measure cannot be carried without it, the expenditure may be with the approbation of three members

of each house of Congress. But it were better without this incumbrance.

Eighthly.—Revenue in addition to the two millions of land tax, say:

	Probable Produce
A stamp duty on hats, as well manufactured at home as imported, distributed into three classes: ten, fifteen, and twenty-five cents,	$500,000
Saddle-horses one dollar each, excluding those engaged in agriculture	100,000
Salt, add so as to raise the present duty to twenty-five cents per bushel.	
Male servants of these capacities, by whatever name: *maître d'hotel, house steward, valet de chambre, butler, under butler, confectioner, cook, house porter, waiter, footman, coachman, groom, postilion, stable-boy.*[1]	
For one such servant $1	
For two servants and not more . each, 2	
For three servants and not more . " 3	
Above three . . . . . " 4	500,000
(One dollar additional by bachelors.)	
New modification, with greater diversity of licenses for sale of wines, etc . . .	100,000
One per cent. on all successions by descent or devise	100,000

Ninthly.—A loan of ten millions of dollars. The interest to be such as will insure the loan at par. It is better to give high interest redeemable at pleasure, than low interest with accumulation of capital, as in England.

[1] In lieu of tax on slaves, which is liable to much objection.

TO RUFUS KING

June 6, 1798.

MY DEAR SIR:

Official information and the public papers will give you all the information I could give of the measures going on in this country. You will have observed with pleasure a spirit of patriotism kindling everywhere. And you will not be sorry to know that it is my opinion, that there will shortly be national unanimity, as far as that idea can ever exist. Many of the leaders of faction will persist, and take ultimately a station in the public estimation like that of the tories of our revolution.

Our chief embarrassment now is, the want of energy among some of our friends, and our councils containing too strong an infusion of those characters who cannot reform, and who, though a minority, are numerous enough and artful enough to perplex and relax. We do far less than we ought towards organizing and maturing for the worst the resources of the country. But I count that there is a progress of opinion which will probably shortly overcome this obstacle.

How vexatious that at such a juncture there should be officers of Great Britain, who, actuated by a spirit of plunder, are doing the most violent things, calculated to check the proper amount of popular feeling, and to furnish weapons to the enemies of government. Cambault at the Mole is acting a part quite as bad as the Directory and their instruments. I have seen several of his condemnations. They are wanton beyond measure. It is not enough that his

acts are disavowed, and a late and defective redress given through the channels of the regular courts. Justice, and the policy of the crisis, demand that he be decisively punished and disgraced. I think it probable you will be instructed to require this. It would be happy if the government where you are would anticipate.

It is unlucky, too, that Cochran, of the *Thetis*, appears to be doing some ill things. The Southern papers announce a number of captures lately made by him, and in some instances, if they say true, on very frivolous pretexts. The character of that gentleman would lead me to hope that there is in this some misrepresentation, but the present appearances against him are strong.

There seems a fatality in all this. It cannot be doubted that the British cabinet must at this time desire to conciliate this country. It is to be hoped they will not want vigor to do it with effect, by punishing those who contravene the object.

TO TIMOTHY PICKERING

June 7, 1798.

My Dear Sir:

As McHenry will probably have left Philadelphia before this reaches that place, I take the liberty to address the subject of it to you.

I have received a letter from Capt. Van Rensselaer, in which he informs me that he is a candidate for a commission on board our navy, and requests my recommendation of it. As a connection of our

family, I cannot refuse it, as far as truth and propriety will warrant.

When he first began his career, the young man did things which were not pretty, but he has since that retrieved his character by a conduct which has rapidly raised him to the command of a ship, which he has had of several. I have particularly inquired concerning him, and my inquiries have been satisfactorily answered, so that I really conclude he is a deserving man. But of this you can be better ascertained from persons in Philadelphia, in whose employ I believe he has sailed.

My only intention is to request *attention* to his *pretensions*, as far as they appear to be good, and in the proportion which they bear to those of other candidates. I owe this to him as a family connection, and I may add that he is of a *brave* blood.

What do the British mean? What are these stories of the *Thetis*, etc.? In my opinion, our country is now to act in every direction with spirit. Will it not be well to order one of our frigates to Charleston, to protect effectually our commerce in that quarter, and, if necessary, control the *Thetis*? This conduct will unite and animate.

P. S.—If an alien bill passes, I would like to know what policy, in execution, is likely to govern the *Executive*. My opinion is, that while the mass ought to be obliged to leave the country, the provisions in our treaties in favor of merchants ought to be observed, and there ought to be *guarded* exceptions of

characters whose situation would expose them too much if sent away, and whose demeanor amongst us has been unexceptionable. There are a few such. Let us not be cruel or violent.

TO TIMOTHY PICKERING

June 8, 1798.

MY DEAR SIR:

Though I scarcely think it possible that the British Administration can have given the orders which accounts from various quarters attribute to them, yet the circumstance of these accounts coming from different quarters, and the conduct of such a man as Capt. Cochran, make me apprehensive. I take the liberty to express to you my opinion that it is of the true policy as well as of the dignity of our government, to act with spirit and energy as well toward Great Britain as France. I would *mete* the same measure to both of them, though it should ever furnish the extraordinary spectacle of a nation at war with two nations at war with each other. One of them will quickly court us, and by this course of conduct our citizens will be enthusiastically united to the government. It will evince that we are neither *Greeks* nor *Trojans*. In very critical cases bold expedients are often necessary. Will not a pointed call on the British Minister here to declare whether he has any knowledge of the instructions alleged be proper? The making this call and the answer public may have good effect.

No one who does not see all the cards can judge

accurately. But I am sure the general course I indicate cannot but be well.[1]

TO OLIVER WOLCOTT

June 29, 1798.

DEAR SIR:

I have this moment seen a bill [2] brought into the Senate, entitled "A Bill to define more particularly the crime of Treason," etc. There are provisions in this bill, which, according to a cursory view, appear to me highly exceptionable, and such as, more than any thing else, may endanger civil war. I have not time to point out my objections by this post, but I will do it to-morrow. I hope sincerely the thing may not be hurried through. Let us not establish a tyranny. Energy is a very different thing from violence. If we make no false step, we shall be essentially united, but if we push things to an extreme, we shall then give to faction *body* and solidity.

TO WASHINGTON

July 8, 1798.

DEAR SIR:

I was much surprised on my arrival here to discover that your nomination had been without any previous consultation of you. Convinced of the goodness of the motives, it would be useless to scan the propriety of the step. It is taken, and the question

[1] Now first printed from the Pickering papers in possession of the Massachusetts Historical Society.

[2] The first draft or project of what afterwards became the Alien and Sedition laws.

is, what, under the circumstances, ought to be done? I use the liberty which my attachment to you and to the public authorizes, to offer my opinion that you should not decline the appointment. It is evident that the public satisfaction at it is lively and universal. It is not to be doubted that the circumstance will give an additional spring to the public mind—will tend much to unite, and will facilitate the measures which the conjuncture requires. On the other hand, your declining would certainly produce the opposite effects, would throw a great damp upon the ardor of the country, inspiring the idea that the crisis was not really serious or alarming. At least, then, let me entreat you, and in this all your friends, indeed, all good citizens will unite, that if you do not give an unqualified acceptance, that you accept provisionally, making your entering upon the duties to depend on future events, so that the community may look up to you as their certain commander. But I prefer a simple acceptance.

It may be well, however, to apprise you that the arrangement of the army may demand your particular attention. The President has no *relative* ideas, and his prepossessions on military subjects in reference to such a point are of the wrong sort. It is easy for us to have a good army, but the selection requires care. It is necessary to inspire confidence in the efficient part of those who may incline to military service. Much adherence to routine would do great harm. Men of capacity and exertion in the higher stations are indispensable. It deserves consideration whether your presence at the seat of gov-

ernment is not necessary. If you will accept it will be conceived that the arrangement is yours, and you will be responsible for it in reputation. This, and the influence of a right arrangement upon future success, seem to require that you should, in one mode or another, see efficaciously that the arrangement is such as you would approve.

TO TIMOTHY PICKERING

NEW YORK, July 17, 1798

MY DEAR SIR:

I thank you for your friendly letter by the post. I had not contemplated the possibility that *Knox* might come into service, and was content to be second to him, if thought indispensable. *Pinckney*, if placed over me, puts me a grade lower. I don't believe it to be necessary. I am far from certain that he will not be content to serve under me, but I am willing that the affair should be so managed as that the relative ranks may remain open to future settlement, to ascertain the effect of the arrangement which has been contemplated.

I am not, however, ready to say that I shall be satisfied with the appointment of Inspector-General, with the rank and command of Major-General, on the principle that every officer of high rank in the late army, who may be appointed, is to be above me.

I am frank to own that this will not accord with my opinion of my own pretensions, and I have every reason to believe that it will fall far short of public opinion.

Few have made so many sacrifices as myself. To few would a change of situation for a military appointment be so injurious as to myself. If, with this sacrifice, I am to be degraded below my just claim in public opinion, ought I to acquiesce?

TO GENERAL DUPORTAIL [1]

NEW YORK, July 23, 1798.

MY DEAR GENERAL:

Though it is a great while since I have heard from you, I have not ceased to inquire after you, and I shall never cease to interest myself in your welfare.

You have seen the progress of things between this country and France, and you must have made reflections on your own situation. I am aware that the idea of your entering in any way into the military service of this country, on such an occasion, is one of great delicacy, and opposed by many motives. But knowing your opinion as to the revolution and revolutionary leaders of your country, I have thought it not wholly impossible that such an idea would not be entirely disagreeable to you, and I am desirous of ascertaining, in the most scrupulous confidence, the state of your mind on this point. The subject may divide itself into employment *in the field* and employment *out of the field*.

When I take the liberty to sound you on this head,

[1] The Chevalier Louis Duportail, a distinguished officer of engineers among our French allies. He was denounced after the fall of Lafayette, and fled to this country. He died on the voyage home, after the 18th Brumaire made it possible for him to return.

I ought to assure you, as is truly the case, that the step is wholly from the suggestion of my own mind, and that I am altogether at a loss to conjecture whether those who must decide the matter would be at all disposed to avail themselves of your services.

I pray you nevertheless to open to me freely your heart on this point, in the fullest reliance upon my prudence, honor, and delicacy. If it were not to intrude too much upon you, I would request you to favor me with a digested plan of an establishment for a military school. This is an object I have extremely at heart.

TO WASHINGTON

PHILADELPHIA, July 29, 1798.

MY DEAR SIR:

Your letter of the 14th instant did not reach me till after the appointments mentioned in it were made.

I see clearly in what has been done a new mark of your confidence, which I value as I ought to do.

With regard to the delicate subject of the relative rank of the major-generals, it is very natural for me to be a partial judge, and it is not very easy for me to speak upon it. If I know myself, however, this, at least, I may say, that, were I convinced of injustice being done to others in my favor, I should not hesitate even to volunteer a correction of it, as far as my consent would avail. But in a case like this, am I not to take the opinion of others as my guide? If I am, the conclusion is that the gentlemen concerned ought to acquiesce. It is a fact of which

there is a flood of evidence that a great majority of leading Federal men were of opinion that in the event of your declining the command of the army, it ought to devolve upon me, and that in case of your acceptance, which everybody ardently desired, the place of second in command ought to be mine.

It is not for me to examine the justness of this opinion. The illusions of self-love might be expected too easily to give it credit with me. But finding it to exist, am I at liberty to seek to postpone myself to others, in whose hands, according to that opinion, the public interests would be less well confided? Such are the reflections which would have determined me to let the business take its course.

My own opinion, at the same time, is, that of the two gentlemen postponed to me, the cause of complaint, if any, applies emphatically to General Knox. His rank in the army was much higher than that either of Pinckney or myself. Pinckney's pretensions on the score of real service are not extensive; those of Knox are far greater. Pinckney has, no doubt, studied tactics with great care and assiduity, but it is not presumable that he is as well versed in the tactics of a general as *Knox*.

Pinckney's rank at the close of the war was only nominally greater than mine; it was, indeed, of more ancient date. But when, in the year 1777, the regiments of artillery were multiplied, I had good reason to expect that the command of one of them would have fallen to me, had I not changed my situation. And this, in all probability, would have led further.

I am aware, at the same time, that there were accidental impediments to Pinckney's progress in preferment, but an accurate comparison would, I imagine, show that, on the score of rank merely, the claim of superiority on his part is not strongly marked. As to military *service*, I venture to believe that the general understanding of the late army would allow a considerable balance to me.

As to civil services since the war, I am extremely mistaken if, in the minds of Federal men, there is any comparison between us. The circumstances of the moment, it is true, give him a certain *éclat*, but judicious men reduce the merit to the two points of judicious *forbearance* and the *firmness* not to sacrifice his country by base compliances. In all this, it is very far from my inclination to detract from General Pinckney. I have a sincere regard for him, and hold him in high estimation. At the same time, endeavoring to view the matter with all the impartiality which my situation permits, I must conclude that General Pinckney, on a fair estimate of all circumstances, ought to be well satisfied with the arrangement.

After saying this much, I will add that regard to the public interest is ever predominant with me; that if the gentlemen concerned are dissatisfied, and the service likely to suffer by the preference given to me, I stand ready to submit our relative pretensions to an impartial decision, and to waive the preference. It shall *never* be said, with any color of truth, that my ambition or interest has stood in the way of the public good.

Thus, sir, have I opened my heart to you with as little reserve as to myself, willing, rather, that its weakness should appear than that I should be deficient in frankness. I will only add that I do not think it necessary to make public beforehand the ultimate intentions I have now disclosed.

It is possible the difficulties anticipated may not arise. But, my dear sir, there is a matter of far greater moment than all this, which I must do violence to my friendship by stating to you, but of which it is essential you should be apprised. It is that my friend McHenry is wholly insufficient for his place, with the additional misfortune of not having himself the least suspicion of the fact. This generally will not surprise you, when you take into view the large scale upon which he is now to act. But you perhaps may not be aware of the whole extent of the insufficiency. It is so great as to leave no probability that the business of the War Department can make any tolerable progress in his hands. This has been long observed, and has been more than once mentioned to the President by members of Congress.

He is not insensible, I believe, that the execution of the department does not produce the expected results; but the case is of course delicate and embarrassing.

My real friendship for McHenry, concurring with my zeal for the service, predisposed me to aid him in all that he could properly throw upon me, and I thought that he would have been glad, in the organization of the army, and in the conduct of the recruit-

ing service, to make me useful to him. With this view, I came to this city, and I previously opened the way as far as I could with the least decency. But the idea has thus far been very partially embraced, and to-morrow or next day I shall return to New York, without much fruit of my journey. I mention this purely to apprise you of the course of things, and the probable results.

It is to be regretted that the supposition of co-operation between the Secretary of War and the principal military officers will unavoidably throw upon the latter a part of the blame which the ill success of the operations of the War Department may be expected to produce. Thus you perceive, sir, your perplexities are begun.

P. S.—Since writing the above, I have concluded to write a letter, of which the enclosed is the copy.[1] This effort to save a man I value, and promote the service, has, under the circumstances, cost some thing to my delicacy.

Mr. Harper, of the House of Representatives, is desirous of being in your family. He is a man of very *considerable talents* and has the temper of a soldier. The shade of his useful qualities is *vanity*, but I think the good much outweighs the ill. Pardon this liberty in a point so delicate.

NEW YORK, Aug. 1, 1798.

The above was written at Philadelphia, but a very pressing call to this place, added to occupation there,

[1] The writer of the enclosed letter is a man of respectability. I could recommend his primary object. (This is in the MS.)

prevented my being able to copy and forward it till now.

Give me leave to suggest the expediency of your asking of McHenry a statement of all the military supplies, cannon, arms, etc., etc., which are already provided, and of the means and measures provided and in execution for augmenting the quantity. This will give you necessary information and prompt to exertion.

TO OLIVER WOLCOTT

August 6, 1798.

MY DEAR SIR:

You are probably apprised that in announcing to the general officers their appointments they are told that the emoluments are to be suspended until called into actual service, and that, as a consequence of this plan, they are to remain inactive.

This project suits admirably my private arrangements, by leaving me to pursue in full extent my profession. But I believe it accords neither with the intention of the individuals who framed the laws nor with the good of the service. It is impossible for McHenry to get through all that is now upon his hands in a manner honorable to himself, satisfactory to the public, or proportioned to the energy of the conjuncture. You will see by the enclosed that I have sacrificed my delicacy to my friendship and public zeal. I have heard nothing in reply. I thought it expedient that you and Colonel Pickering should understand in confidence the situation of things. Without a change of plan they will not go

well, and the government and all concerned will be discredited.

TO GENERAL DAYTON [1]

NEW YORK, Aug. 6, 1798.

MY DEAR SIR:

I received at Philadelphia your letter of the 27th of July, the answer to which has been delayed by excessive occupation.

You know, I trust, sufficiently my sentiments of you not to need being told how much pleasure your appointment gave me, and how highly I value the confidence you express in me.

It will probably be unexpected to you to be told that I am not yet in the exercise of the functions of my military office, and that my participation in the preliminary arrangements is only occasional and very limited.

Such, however, is the course of the plan which has been adopted by the Executive.

But I have, notwithstanding, had conversation with the Secretary at War on the points you mention, and to the extent of my opportunity have endeavored to promote a right direction. You no doubt have before this received a letter from the Secretary on the subject of proper characters for officers. It seems to be determined in his mind to

[1] Elias Dayton, of New Jersey, a distinguished revolutionary officer and father of Jonathan Dayton, at this time Speaker of the National House, and grandfather of William L. Dayton, senator from New Jersey, candidate on the Fremont ticket in 1856 for vice-president, and minister to France.

appoint Col. Aaron Ogden to the command of a regiment.

Everybody must consider him as a great acquisition in this station. The part of your letter which respects him, announcing the certainty of his acceptance, was particularly grateful to me.

Enclosed you will receive the instructions for the recruiting service, which were previously prepared by the Secretary at War. I made such remarks upon them as hastily occurred. Examine them carefully, and suggest to me whatever amendments or additions may present themselves to you. You will oblige me by free communications at all times.

TO BENJAMIN STODDERT [1]

NEW YORK, Aug. 7, 1798.

DEAR SIR:

Capt. Robert Hamilton, a first cousin of mine, is desirous of employment in this country in the line of his profession. He is regularly bred to the sea, which he has followed since he was fourteen years old, and has had the best opportunities of improvement—among others that of voyages to the East Indies. He has also commanded a ship and has acted as supercargo. I venture with confidence to recommend him as well qualified and every way worthy; adding to skill in his profession the sentiments of a gentleman, good morals, intelligence, and prudence. I in-

[1] Benjamin Stoddert, of Maryland, at this time Secretary of the Navy.

terest myself very much in his success, and shall esteem it as a personal favor to myself whatever may be done for his interest.

TO JAMES McHENRY

(Private.)

NEW YORK, Aug. 19, 1798.

MY DEAR SIR:

I write you herewith an official letter. Your private one of the 14th is before me. I regret that you have been unwell and rejoice that you are better.

The affair of General Knox perplexes me. I wish him to serve. I am pained to occasion to him pain for I have truly a warm side for him, and a high value for his merits; but my judgment tells me, and all I consult confirm it, that I cannot reasonably postpone myself in a case in which a preference so important to the public in its *present* and *future* consequences has been given me. In denominating the preference important, I do not intend to judge whether it will be well or ill founded; in either case its tendency is so important, I am willing to confer, to adjust amicably, with the advice of mutual friends. But how can I abandon my pretension?

At foot, my dear sir, I transmit you the draft of such a reply as it seems to me proper for you to make to General Knox. It may also be well for you, in a private letter, to advise him to accept, with a reservation of his claim *ad referendum*, upon the ground of the rule he quotes, and with the understanding that it will not be understood to engage him to continue,

if the matter be not finally settled according to his claim.

(*Draft above referred to*)

SIR:

An answer to your letter of the 5th instant has been delayed by some degree of ill health on my part.

The general disposition it marks accords well with the patriotic sentiments you have so constantly manifested. It is extremely regretted that any circumstances should induce you to hesitate about the acceptance of an appointment in which it is not to be doubted your services would be eminently useful.

The paragraph of my former letter which you quote explains to you my conception of the relative rank of the generals in question as resulting from the order of the nominations and appointments. This conception, however, cannot affect the claim of either, if there be any subsisting binding rule in our military code which will arrange the priority of rank between officers nominated on the same day, according to their relative stations in the late army. This will naturally be the subject of some future decision in some proper mode. It is not understood that there has been any former repeal of the rule to which you allude.

It remains, then, for you to determine whether you will or not accept the appointment, with the reservation of a claim to the benefit of that rule.

TO JAMES McHENRY

New York, Aug. 19, 1798.

SIR:

An absence from the city, upon some urgent avocations, prevented my receiving till yesterday your letters of the 10th and 11th instant.

I observe the suggestion which you have made to the President towards calling General Knox and myself into immediate service. If he shall approve, I stand ready to execute, in the best manner I shall be able, whatever business may be confided to me; but I must earnestly hope that it will not be attended with the necessity of an immediate change of residence. The nature of my arrangements would render this absolutely ruinous to me, and I trust I shall not be reduced to such an alternative, unless events portending public danger shall ripen faster than, according to present appearances, they are likely to do. I do not object to a frequent attendance at the seat of government, for this can be reconciled with my other engagements, till they can be gradually prepared for a total relinquishment and a new position. With this, I am satisfied, every desirable end can be obtained, especially when the promptness of communication between this place and the seat of government is considered. Be assured that none but very imperious motives could induce this hesitation on my part. In accepting the appointment I did not contemplate as probable a speedy dislocation of residence.

The tenor of General Knox's letter, transmitted by you and now returned, occasions to me no small

regret and embarrassment. My esteem and friendship for that gentleman would lead me far; but there is a very great difficulty in waiving a station to which, I am well convinced, I have been called, no less by the public voice of the country than by the acts of the Commander-in-Chief and of the President and Senate. The intention as to the relative grades of the officers appointed is presumed to be unequivocal. It is believed that the rule to which General Knox refers can have no application to the case of the formation of a new army at a new epoch, embracing officers not previously *in actual* service.

It was not a permanent provision of law, but a regulation adapted to the peculiar circumstances of the late army, and governing, as far as I can recollect, only in the cases of promotions from lower subsisting grades to higher ones. At the same time, it is very delicate for me to give an opinion in a matter in which I am so personally interested.

I send you back the list of applications which you transmitted to me, with remarks, and with the addition of names. It has been in my power to do little as to candidates in any State but New York. I have supposed that you have had recourse to better sources of information as to others.

TO WASHINGTON

NEW YORK, Aug. 20, 1798.

MY DEAR SIR:

A necessary absence from this city prevented the receipt of your letter of the 9th instant till yesterday.

It is very grateful to me to discover in each suc-

ceeding occurrence a new mark of your friendship towards me. Time will evince that it makes the impression that it ought on my mind.

The effect which the course of the late military appointments has produced on General Knox, though not very unexpected, is very painful to me. I have a respectful sense of his pretensions as an officer, and I have a warm personal regard for him. My embarrassment is not inconsiderable between these sentiments, and what I owe to a reasonable conduct on my own part, both in respect to myself and to the public. It is a fact, that a number of the most influential men in our affairs would think that in waiving the preference given to me I acted a weak part, in a personal view, and an unwarrantable one, in a public view; and General Knox is much mistaken if he does not believe that this sentiment would emphatically prevail in that region to which he supposes his character most interesting. I mean New England.

Yet, my dear sir, I can never consent to see you seriously compromitted or embarrassed. I shall cheerfully place myself in your disposal, and facilitate any arrangement you may think for the general good. It does not, however, seem necessary to precipitate any thing. It may be well to see first what part Gen. Pinckney will act when he arrives.

The Secretary at War has sent me a copy of General Knox's letter to him on the subject of his appointment. It does not absolutely decline, but implies the intention to do it, unless a rule of the late army, giving, in cases of promotion on the same

day, priority according to the former relative rank, is understood to govern. I have addressed a reply of which a copy is enclosed.

The commissions have issued, so that no alteration can now be made as between Generals Knox and Pinckney, if there were not the serious difficulties in the way which you seem to have anticipated.

The Secretary at War has proposed to the President a change of the plan announced in the first instance—which may bring into immediate activity the Inspector-General and Gen. Knox. In this case you may depend on the best efforts in my power, with a peculiar attention to the objects you mention, and you shall be carefully and fully advised of whatever it interests you to know.

Col. Walker resides at present in the western part of this State. He is occupied in some important agencies for persons abroad, which renders it doubtful whether he would now accept military employment. He has been written to, and will be proposed for the command of a regiment.

Heth is, in many respects, very desirable, in the capacity you mention. But you are, I presume, aware of the impracticability of his temper.

The papers sent by you are now returned.

TO OLIVER WOLCOTT

NEW YORK, Aug. 21, 1798.

MY DEAR SIR:

Your two letters of the 9th reached this place during an absence on necessary business which only terminated on Saturday.

Our friend Mr. McHenry has adopted the ideas suggested to him. And you may rely on my effectual co-operation. At the same time, as a total dislocation of residence, to fulfil in all its extent the idea you intimate, would be unqualified ruin to me, I must endeavor to avoid it. Frequent visits and constant communication, and the immediate charge of certain branches of the service will, I doubt not, substantially suffice.

The objects you indicate as deserving primary attention will engage it.

In respect to Mr. Wharton, I shall with pleasure promote whatever may suit him and the service But I do not know that there is in the establishment any provision for a clerk or secretary to a general officer. It is usual, except in case of the Commander-in-Chief for aides-de-camp to perform the duties of such characters. In reference to *aides*, my situation is this—I have already yielded to the strong wishes of Mr. and Mrs. Church the promise to appoint their eldest son as one; for the other I must endeavor to find an experienced officer. If Mr. Wharton desires an appointment in some regiment to take his chance for a place in the family of some general officer, I will assist the wish. Let me, if you please, understand this matter with precision.[1]

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

TO RUFUS KING

NEW YORK, Aug. 22, 1798.

MY DEAR SIR:

Your several letters of May 12th, June the 6th and 8th, have regularly come to hand.

You will be, no doubt, fully instructed of the measures which have taken place on the part of our government, and you will have seen in the numerous addresses to the President a confirmation of the opinion I gave you respecting the disposition of this country. From both you will have derived satisfaction, though you should not think we are yet where we now ought to be. But console yourself with the assurance that we are progressing in good. The indications are to my mind conclusive that we are approaching fast to as great unanimity as any country ever experienced, and that our energies will be displayed in proportion to whatever exigencies shall arise.

I have received several letters from General Miranda. I have written an answer to some of them, which I send you to deliver or not, according to your estimate of what is passing in the scene where you are. Should you deem it expedient to suppress my letter you may do it, and say as much as you think fit on my part in the nature of a communication through you.

With regard to the enterprise in question, I wish it much to be undertaken, but I should be glad that the principal agency be in the United States,—they to furnish the whole land force if necessary. The command in this case would very naturally fall upon me,

and I hope I shall disappoint no favorable anticipation. The independence of the separate territory under a moderate government, with the joint guaranty of the co-operating powers, stipulating equal privileges in commerce, would be the sum of the results to be accomplished.

Are we yet ready for this undertaking? Not quite. But we ripen fast, and it may, I think, be rapidly brought to maturity if an efficient negotiation for the purpose is at once set on foot upon this ground. Great Britain cannot alone insure the accomplishment of the object. I have some time since advised certain preliminary steps to prepare the way consistently with national character and justice. I was told they would be pursued, but I am not informed whether they have been or not.

TO FRANCISCO MIRANDA [1]

NEW YORK, Aug. 22, 1798.

SIR:

I have lately received by duplicates your letter of the 6th of April, with the postscript of the 9th of June. The gentleman you mention in it has not made his appearance to me, nor do I know of his

[1] Francisco Miranda, born in Caraccas, 1750, was a South American revolutionist and adventurer. He took part in our war, and then went to France and engaged in the revolution. He served with Dumouriez, was put in prison for his intrigues, was ordered to leave France, and twice afterwards (in 1797 and 1804) expelled. He was always setting on foot abortive revolutions, and finally, in 1811, in an attempt at Caraccas, he was seized and carried to Spain, and died in prison at Cadiz in 1816.

arrival in this country; so that I can only divine the object from the hints in your letter.

The sentiments I entertain with regard to that object have been long since in your knowledge, but I could personally have no participation in it unless patronized by the government of this country. It was my wish that matters had been ripened for a co-operation in the course of this fall on the part of this country.

But this can now scarcely be the case. The winter, however, may mature the project, and an effectual co-operation by the United States may take place. In this case I shall be happy, in my official station, to be an instrument of so good a work.

The plan in my opinion ought to be: A fleet of Great Britain, an army of the United States, a government for the liberated territory agreeable to both co-operators, about which there will be no difficulty. To arrange the plan a competent authority from Great Britain to some person here is the best expedient. Your presence here will, in this case, be extremely essential.

We are raising an army of about twelve thousand men. General Washington has resumed his station at the head of our armies. I am appointed second in command.

TO OLIVER WOLCOTT

NEW YORK, Aug. 22, 1798.

MY DEAR SIR:

No one knows better than yourself how difficult and oppressive is the collection even of taxes very

moderate in their amount, if there be a defective circulation. According to all the phenomena which fall under my notice, this is our case in the interior parts of the country.

Again, individual capitalists, and consequently the facility of direct loans, are not very extensive in the United States. The banks can only go a certain length, and must not be forced. Yet government will stand in need of large anticipations.

For these and other reasons which I have thought well of, I have come to a conclusion that our Treasury ought to raise up a circulation of its own. I mean by the issuing of Treasury-notes payable, some on demand, others at different periods, from very short to pretty considerable—at first having but little time to run.

This appears to me an expedient equally necessary to keep the circulation full and to facilitate the anticipations which government will certainly need. By beginning early the public eye will be familiarized, and as emergencies press it will be easy to enlarge without hazard to credit.

Think well of this suggestion, and do not discard it without perceiving well a better substitute.

TO JAMES McHENRY

NEW YORK, Aug. 25, 1798.

DEAR SIR:

I perceive it would be agreeable to the Commander-in-Chief to receive frequent communications from you, and particularly to understand the state of

public supplies; that is, the quantities on hand and the measures in execution to procure others.

I give you this hint as a guide, and would advise to have a full statement made out, with notes of what is further doing, and send it to him.

TO THEODORE SEDGWICK

New York, Aug. 29, 1798.

My Dear Sir:

Your letter of the 3d instant came seasonably to hand. Business and absence from this place have delayed the acknowledgment.

The persons you mention have been correspondently placed before the Secretary of War.

As to military affairs, they lag not a little—no appointments of regimental officers yet made. McHenry, as you know, is loaded beyond his strength. It was an obvious idea to derive aid from among general officers; but instead of embracing this resource, they have all been told that the President hoped they would think it proper to waive the emoluments of their offices till called into actual service.

Steps have been taken towards the correction of this obvious mistake, the success of which now depends on the President, and on that success the alternative of *some* or *no energy*.

TO TIMOTHY PICKERING

NEW YORK, Aug. 29, 1798.

MY DEAR SIR:

Your friendly letters of the 21st, 22d, and 23d of August have been duly received. I feel myself at once much flattered and truly indebted for the very favorable opinion of me which you manifest. The good estimation of men of sense and virtue is an ample consolation for the censure and malice of those of a different character, while the expression of your sentiments has all the value which a well-known sincerity and integrity of disposition can give. Be assured that I shall be happy to be ranked by you in the number of your friends. The course of the thing in a particular quarter does not surprise. Besides the direct influence which would be exerted, I am aware that the circumstances of the late election for president have made some unfortunate impressions.

The Commander-in-Chief, I am authorized by his own communications to me to believe, will not easily relinquish the original spirit of the primitive arrangements; but, in the last resort, I shall be inclined to have much deference for his wishes. It is important he should well understand, what I verily believe to be an undoubted fact, that New England would rather see high command in my hands than in those of Gen. Knox.

TO JAMES McHENRY.

NEW YORK, Sept. 8, 1798.

MY DEAR SIR:

Yours, dated by mistake August 6th, I received yesterday. I postponed a reply till to-day, because I wished first to reflect maturely. My mind is unalterably made up. I shall certainly not hold the commission on the plan proposed, and only wait an official communication to say so.

I return you the enclosure in your letter. You may depend on my fidelity to your friendly confidence. I shall regret whatever of inconvenience may attend you. You doubtless will take care that you retain in your own power all the evidences of this transaction.

TO WASHINGTON

NEW YORK, Sept. 30, 1798.

MY DEAR SIR:

Your obliging favor of the 24th instant has duly come to hand. I see in it a new proof of sentiments towards me which are truly gratifying. But permit me to add my request to the suggestions of your own prudence that no personal considerations for me may induce more on your part than on mature reflection you may think due to public motives. It is extremely foreign to my wish to create to you the least embarrassment, especially in times like the present, when it is more than ever necessary that the interests of the *whole* should be *paramountly* consulted.

I shall strictly comply with the recommendation in the close of your letter.

TO RUFUS KING

NEW YORK, Oct. 2, 1798.

MY DEAR SIR:

Mr. R. delivered me your letter of the 31st of July. The opinion in that and other of your letters concerning a very important point has been acted upon by me from the very moment that it became unequivocal that we must have a decisive rupture with France. In some things my efforts succeeded; in others they were disappointed; in others I have had promises of conformity to lay the foundation of future proceeding, the performance and effect of which promises are not certainly known to me. The effect, indeed, cannot yet be known.

The public mind of this country continues to progress in the right direction. That must influence favorably the present Congress at the ensuing session. The next will be, in all appearance, intrinsically better.

Of the executive I need say little; you know its *excellent* dispositions, its general character, and the composition of its parts. You know also how widely different the business of government is from the speculation of it, and the energy of the imagination dealing in general propositions from that of *execution* in *detail*.

These are causes from which delay and feebleness are experienced. But the difficulty will be surmounted, and I anticipate with you that this country will, erelong, assume an attitude correspondent with its great destinies—majestic, efficient, and operative of great things. A noble career lies before it.

Why does not Gouverneur Morris come home? His talents are wanted. Men like him do not superabound. Indeed, I wish that you were here rather than where you are, though I think your position an important one at the present juncture. But we want to infuse more abilities into the management of our internal affairs.

Governor Jay is well. He and all your friends continue to take a lively interest in all that concerns you.

TO THE COUNT LATOUR DUPIN GOUVERNET [1]

NEW YORK, Oct. 3, 1798.

I had yesterday, my dear sir, the pleasure of receiving your letter of the 15th of July, accompanied by two others, one for Messrs. Le Roy and Bayard, the other for Mr. Olive, which will be sent to them in the country, where they now continue, in consequence of the sickness in this city. The letters which you mention to have before written have also been received. To mine I replied shortly after; nor can I imagine how it has happened that you have received no answer from either of the parties.

On the subject of the sale of your farm Mr. Bayard

[1] Frederic Seraphin, Marquis de la Tour Du Pin Gouvernet, son of General Jean Frederic Latour Du Pin Gouvernet, Comte de Paulin. General Latour Du Pin, with his cousin, the Marquis Latour Du Pin, were distinguished soldiers and statesmen. They were summoned as witnesses at the trial of Marie Antoinette, and their devotion to the queen only hastened their own doom. They were both guillotined on the same day, in April, 1794. Frederic Seraphin, son of the General, fled to America, bought an estate, no doubt the one referred to in Hamilton's letter, and turned farmer. He returned to Europe after

and I myself had a conference, and we agreed that a sale at this time was inexpedient, as it could not be hoped that the farm would bring near its value, owing to the embarrassments in pecuniary operations produced by the prospect of war. I shall, however, now advise that an experiment be made. The offers received, if any, will determine whether a sale can take place without an imprudent sacrifice for you, and the result can be regulated accordingly.

Be assured, my dear sir, that I shall be happy to be useful to you in this or any other matter. In doing so, I shall equally gratify the esteem and friendship with which you have inspired me for yourself, and that lively and affecting interest in whatever concerns Madame de Gouvernet, which cannot but be felt by all who have had an opportunity to know her value.

If it shall conduce to her and your happiness to return to this country, it will certainly add to ours; and if you will beforehand apprise me of your reso-

the 9th Thermidor, and to France permanently after the 18th Brumaire, taking service under the Empire. During the Restoration he filled many high posts, but after the revolution of July he was obliged to leave France on account of Legitimist intrigues, and died in exile at Lausanne, in 1837 (Larousse, *Dict. Universel*). This letter is correctly addressed in the original draft in the State Department, but in the edition of 1850 it is changed to Count Latour Dupin Gouvion. Mr. J. C. Hamilton knew of no officer among our allies by such a name as Gouvernet, whereas there was one named Gouvion, and for this reason, apparently, he printed it Gouvion. Jean Baptiste Gouvion was an officer in the war, but he had no connection whatever with the Latour Dupin family, except that his last name, like theirs, began with G. If Mr. J. C. Hamilton had either looked up the Latour Dupin family, or if he had recollected that Frenchmen came to America in other capacities than that of military allies, he would have saved himself from the complicated blunder which he made in the address of this letter.

lution, when taken, and your general plan, you will find me zealous to co-operate in giving it effect.

I would invite you to return with the more confidence from the assurance in the stability of affairs in this country, which is derived from the late happy course of the public mind. An extraordinary union among the people in the support of their own government, and in resistance to all foreign encroachments, leaves nothing to be feared for our future security and prosperity. The most reasonable ideas in every respect prevail.

Accept, whenever you shall come, under the roof of Mrs. Hamilton and myself, an asylum where you may be perfectly at home until you shall have completed your arrangements for your future establishment. She joins me in cordial remembrance to Madame de Gouvernet and yourself.

TO WILLIAM HETH [1]

NEW YORK, Dec. 18, 1798.

DEAR SIR:

Your letter of the 30th of July was duly received. It gave me much pleasure as a proof of your friendly remembrance, and as an indication that you were not disposed to be idle in a crisis of national danger. You are indeed one of those men who cannot be permitted to be idle, and you will no doubt be called to take the field in some eligible station, if the impending storm shall not subside. You can imagine the

[1] William Heth, of Virginia, a gallant soldier of the Revolution who now came forward to again offer his services in case of war.

multiplicity and extent of my avocations, and I hope you will make a kind allowance for my silence. Attribute it to any thing but want of regard for you; on this score depend that I have no retribution to make, being very cordially and truly yours, etc.

P. S.—What do the factions in your State really aim at?[1]

TO HARRISON GRAY OTIS[2]

NEW YORK, Dec. 27, 1798.

DEAR SIR;

I did not receive till yesterday your letter dated 21st instant. No apology was necessary for so gratifying a mark of your good opinion, upon which I set the high value it so justly deserves.

In the enclosed extract of a letter to another of the government, you will find my ideas generally on the subject of your letter. I adopt this method of communication as equally effectual and best adapted to the multiplicity of my avocations. Some additional remarks in direct reference to your particular questions, may perhaps be requisite to fulfil your object.

Any reduction of the actual force appears to me inexpedient. It will argue to our enemy that we are either very narrow in our resources, or that our jealousy of his designs is abated. Besides, that with a

[1] Reprinted from *Reminiscences of James A. Hamilton*, p. 38.

[2] Harrison Gray Otis, of Boston, distinguished as a lawyer and orator, at this time member of Congress and one of the younger Federalist leaders. He was afterwards, 1817–1822, United States Senator, and died in 1848, at the age of eighty-three.

view to the possibility of internal disorders alone, the force authorized is not too considerable. The efficacy of militia for suppressing such disorders is not too much to be relied upon. The experience of the Western expedition ought not to be [forgotten?]. That was a very uphill business. There were more than once appearances to excite alarm as to the perseverance of the troops, and it is not easy to foresee what might have been the result had there been serious resistance. The repetition of similar exertions may be found very difficult, insomuch as to render it extremely [needful?], in these precarious times, to have the government armed with the whole of the force which has been voted.

There are several defects in the military establishment which demand reform as well for economy as efficiency. On these there has been an ample communication from the Commander-in-Chief to the Department of War. I cannot conceive why nothing has yet gone to Congress. Certainly this cannot be much longer delayed. Will it be amiss *informally* to interrogate the Minister? If the silence is persisted in, you shall know from me the objects.

The extract answers your questions as to the provisional army. I think the act respecting the eighty thousand militia ought likewise to be revived. The effect abroad will be good, and it will likewise be so at home, as the evidence of a reliance of the government on the militia.

Good policy does not appear to me to require extensive appropriations for fortifications at the *present juncture*. Money can be more usefully employed in

other ways. A good deal of previous examination ought to lead to a plan for fortifying three or four *cardinal* points. More than this will be a misapplication of money. Secure positions for arsenals and dock-yards are in this view a primary object.

Your last question respecting the West India Islands I shall reserve for a future communication.

TO THEODORE SEDGWICK

1798.[1]

DEAR SIR:

I have been reading the report of the Secretary of the Treasury on the subject of direct taxes. I think it does him credit. The general principles and objects are certainly good, nor am I sure that any thing better can be done.

I remember, however, that I once promised you to put in writing my ideas on the subject. I intended to have done it and communicated them to the Secretary. My hurry and press of business prevented me; but I concluded lately to devote an evening to a rude sketch, and to send it to you. You may show it to the Secretary and confer. If, in the course of the thing, it can be useful to the general end we all have in view, it will give me pleasure; if not, there will have been but little time misspent. Of course, no use will be made of it in contradiction to the views of the Treasury Department.

As to the part which relates to land, I do not feel

[1] This is the date and place given this letter in the edition of 1850. The original is undated.

any strong preference of my plan to that in the report; for this, in my opinion, ought to be considered only as an auxiliary, and not as the *pith* of the tax. But I own I have a strong preference of my plan of a house-tax to that in the report. These are my reasons:

It is more comprehensive, embracing all houses, and will be proportionately more productive. It is more certain, avoiding the evasions and partialities to which valuations will be for ever liable, and I think it for that reason likely to be at least as equal. I entertain no doubt that the rule of rates, adapted as they are to characteristic circumstances, will in fact be more favorable to equality than appraisements. I think the idea of taxing only houses of above a certain annual value will be dissatisfactory. The comparison of the proprietors of houses immediately above with those immediately below the line will beget discontent, and the errors of valuations will increase it.

I think there will be a great advantage in throwing the weight of the tax *on houses*, as well because lands are more difficult to manage as because it will fall in a manner less dissatisfactory.

My plan as to houses can be easily combined with that in the report as to land.

Some years ago I proposed a similar plan in the Legislature of this State. It went through three readings and had a great majority in its favor, but as it was essentially different from what had always before obtained in the State it was thought best to postpone, to feel the sense of constituents. I left

the Legislature—changes in our political situation rendered the plan of State taxation less important, and the business shrunk out of sight. But there was every appearance that the plan would have been popular in this State.

You observe I confine myself to a million. It would not bear hard in this way. I would add, as aid, the taxes contemplated last session—on stamps, collateral successions, new modifications of some articles of imports, and, let me add, *saddle*-horses. The idea of taxing slaves generally will not work well. If confined to all menial servants for luxury, as coachmen, footmen, cooks, etc., it would be eligible.

TO JONATHAN DAYTON [1]

1799.

An accurate view of the internal situation of the United States presents many discouraging reflections to the enlightened friends of our government and country. Notwithstanding the unexampled success of our public measures at home and abroad—notwithstanding the instructive comments afforded by the disastrous and disgusting scenes of the French Revolution—public opinion has not been ameliorated; sentiments dangerous to social happiness have not been diminished; on the contrary, there are symptoms which warrant the apprehension that among the most numerous class of citizens, errors of

[1] Of New Jersey, at this time Speaker of the national House. This letter, like the preceding, has no date in the original, and is placed and dated according to the edition of 1850.

a very pernicious tendency have not only preserved but have extended their empire. Though some thing may have been gained on the side of men of information and property, more has probably been lost on that of persons of a different description. An extraordinary exertion of the friends of government, aided by circumstances of momentary impression, gave, in the last election for members of Congress, a more favorable countenance to some States than they had before worn; yet it is the belief of well-informed men that no real or desirable change has been wrought in those States. On the other hand, it is admitted by close observers that some of the parts of the Union which, in times past, have been the soundest, have of late exhibited signs of a gangrene begun and progressive.

It is likewise apparent that opposition to the government has acquired more system than formerly, is bolder in the avowal of its designs, less solicitous than it was to discriminate between the Constitution and the administration, and more open and more enterprising in its projects. The late attempt of Virginia and Kentucky to unite the State Legislatures in a direct resistance to certain laws of the Union can be considered in no other light than as an attempt to change the government.

It is stated in addition that the opposition party in Virginia, the headquarters of the faction, have followed up the hostile declarations which are to be found in the resolutions of their General Assembly by an actual preparation of the means of supporting them by force, that they have taken measures to put

their militia on a more efficient footing—are preparing considerable arsenals and magazines, and (which is an unequivocal proof how much they are in earnest) have gone so far as to lay new taxes on their citizens. Amidst such serious indications of hostility, the safety and the duty of the supporters of the government call upon them to adopt vigorous measures of counteraction. It will be wise in them to act upon the hypothesis that the opposers of the government are resolved, if it shall be practicable, to make its existence a question of force. Possessing, as they now do, all the constitutional powers, it will be an unpardonable mistake on their part if they do not exert them to surround the Constitution with more ramparts and to disconcert the schemes of its enemies.

The measures proper to be adopted may be classed under heads.

First.—Establishments which will extend the influence and promote the popularity of the government. Under this head three important expedients occur. *First.* The extension of the judiciary system. *Second.* The improvement of the great communications, as well interiorly as coastwise, by turnpike roads. *Third.* The institution of a society with funds to be employed in premiums for new inventions, discoveries, and improvements in agriculture and in the arts.

The extension of the judiciary system ought to embrace two objects: one, the subdivision of each State into small districts (suppose Connecticut into four, and so on in proportion), assigning to each a

judge with a moderate salary; the other, the appointment in each county of conservators or justices of the peace, with only ministerial functions, and with no other compensation than fees for the services they shall perform. This measure is necessary to give efficacy to the laws, the execution of which is obstructed by the want of similar organs and by the indisposition of the local magistrates in some States. The Constitution requires that *judges* shall have fixed salaries; but this does not apply to mere justices of the peace without judicial powers. Both those descriptions of persons are essential, as well to the energetic execution of the laws as to the purposes of salutary patronage.

The thing, no doubt, would be a subject of clamor, but it would carry with it its own antidote, and when once established, would bring a very powerful support to the government.

The improvement of the roads would be a measure universally popular. None can be more so. For this purpose a regular plan should be adopted, coextensive with the Union, to be successively executed, and a fund should be appropriated sufficient for the basis of a loan of a million of dollars. The revenue of the post-office naturally offers itself. The future revenue from tolls would more than reimburse the expense, and public utility would be promoted in every direction. The institution of a society, with the aid of proper funds, to encourage agriculture and the arts, besides being productive of general advantage, will speak powerfully to the feelings and interests of those classes of men to whom the benefits

derived from the government have been heretofore the least manifest.

SECOND.—Provision for augmenting the means and consolidating the strength of the government. A million of dollars may without difficulty be added to the revenue, by increasing the rates of some existing indirect taxes, and by the addition of some new items of a similar character.

The direct taxes ought neither to be increased nor diminished. Our naval force ought to be completed to six ships of the line, twelve frigates, and twenty-four sloops of war. More at this juncture would be disproportioned to our resources, less would be inadequate to the ends to be accomplished. Our military force should, for the present, be kept upon its actual footing; making provision for a re-enlistment of the men for five years in the event of a settlement of differences with France,—with this condition, that in case of peace between Great Britain, France, and Spain, the United States being then also at peace, all the privates of the twelve additional regiments of infantry, and of the regiment of dragoons, not exceeding twenty to a company, shall be disbanded. The corps of artillerists may be left to retain the numbers which it shall happen to have, but without being recruited until the number of officers and privates shall fall below the standard of the infantry and dragoons. A power ought to be given to the President to augment the four old regiments to their war establishment.

The laws respecting volunteer companies, and the *eventual army*, should be rendered permanent, and

the Executive should proceed without delay to organize the latter. Some modifications of the discretion of the President will, however, be proper in a permanent law. And it will be a great improvement of the plan, if it shall be thought expedient to allow the enlistment, for the purpose of instruction, of a corps of sergeants equal to the number requisite for the eventual army. The institution of a military academy will be an auxiliary of great importance. Manufactories of every article, the woollen parts of clothing included, which are essential to the supply of the army, ought to be established.

THIRD.—Arrangements for confirming and enlarging the legal powers of the government. There are several temporary laws which, in this view, ought to be rendered permanent, particularly that which authorizes the calling out of the militia to suppress unlawful combinations and insurrections.

An article ought to be proposed, to be added to the Constitution, for empowering Congress to open canals in all cases in which it may be necessary to conduct them through the territory of two or more States, or through the territory of a State and that of the United States. The power is very desirable for the purpose of improving the prodigious facilities for inland navigation with which nature has favored this country. It will also assist commerce and agriculture, by rendering the transportation of commodities more cheap and expeditious. It will tend to secure the connection, by facilitating the communication between distant portions of the Union, and it will be a useful source of influence to the gov-

ernment. Happy would it be if a clause could be added to the Constitution, enabling Congress, on the application of any considerable portion of a State, containing not less than a hundred thousand persons, to erect it into a separate State, on the condition of fixing the quota of contributions which it shall make toward antecedent debts, if any there shall be, reserving to Congress the authority to levy within such State the taxes necessary to the payment of such quota, in case of neglect on the part of the State. *The subdivision of the great States is indispensable to the security of the general government, and with it of the Union.*

Great States will always feel a rivalship with the common head; will often be supposed to machinate against it, and in certain situations will be able to do it with decisive effect. The subdivision of such States ought to be a cardinal point in the federal policy, and small States are doubtless best adapted to the purposes of local regulation and to the preservation of the republican spirit. This suggestion, however, is merely thrown out for consideration. It is feared that it would be inexpedient and even dangerous to propose, *at this time*, an amendment of the kind.

FOURTH.—Laws for restraining and punishing incendiary and seditious practices. It will be useful to declare that all such writings, etc., which at common law are libels, if levelled against any officer whatsoever of the United States, shall be cognizable in the courts of the United States. To preserve confidence in the officers of the general government, by preserving their reputations from malicious and unfounded

slanders, is essential to enable them to fulfil the ends of their appointment. It is, therefore, both constitutional and politic to place their reputations under the guardianship of the courts of the United States. They ought not to be left to the cold and reluctant protection of State courts, always temporizing, and sometimes disaffected. But what avail laws which are not executed? Renegade aliens conduct more than one of the most incendiary presses in the United States—and yet, in open contempt and defiance of the laws, they are permitted to continue their destructive labors. Why are they not sent away? Are laws of this kind passed merely to excite odium and remain a dead letter? Vigor in the executive is at least as necessary as in the legislative branch. If the President requires to be stimulated, those who can approach him ought to do it.

TO LAFAYETTE

NEW YORK, Jan. 6, 1799.

DEAR SIR:

I have been made happy, my dear friend, by the receipt of your letter of the 12th of August last. No explanation of your political principles was necessary to satisfy me of the perfect consistency and purity of your conduct. The interpretation may always be left to my attachment for you. Whatever difference of opinion may on any occasion exist between us, it can never lessen my conviction of the goodness both of your head and heart. I expect

from you a return of this sentiment so far as concerns the heart. 'T is needless to detail to you my political tenets. I shall only say that I hold with *Montesquieu*, that a government must be fitted to a nation, as much as a coat to the individual; and, consequently, that what may be good at Philadelphia may be bad at Paris, and ridiculous at Petersburgh.

I join with you in regretting the misunderstanding between our two countries. You will have seen by the President's speech that a door is again opened for terminating them amicably. And you may be assured that we are sincere, and that it is in the power of France, by reparation to our merchants for past injury, and the stipulation of justice in future, to put an end to the controversy.

But I do not much like the idea of your being any way implicated in the affair, lest you should be compromitted in the opinion of one or the other of the parties. It is my opinion that it is best for you to stand aloof. Neither have I abandoned the idea that it is most advisable for you to remain in Europe till the difference is adjusted. It would be very difficult for you here to steer a course which would not place you in a party, and not remove you from the broad ground which you now occupy in the hearts of all. It is a favorite point with me that you shall find in the universal regard of this country all the consolations which the loss of your own (for so I consider it) may render requisite.

Mrs. Church and Mrs. Hamilton unite in assurance of their affectionate remembrance.

TO HARRISON GRAY OTIS

NEW YORK, Jan. 26, 1799.

DEAR SIR:

You will recollect that I reserved for a future answer part of a letter which I had the pleasure of receiving from you some time since. These are my ideas on that subject.

I should be glad to see, before the close of the session, a law empowering the President, at his discretion, in case a negotiation between the United States and France should not be on foot by the first of August next, or being on foot should terminate without an adjustment of differences, to declare that a state of war exists between the two countries, and thereupon to employ the land and naval forces of the United States in such manner as shall appear to him most effectual for annoying the enemy, and for preventing and frustrating hostile designs of France, either directly or *indirectly through any of her allies*.

This course of proceeding, by postponing the event, and giving time for the intervention of negotiation, would be a further proof of moderation in the government, and would tend to reconcile our citizens to the last extremity, if it shall ensue, gradually accustoming their minds to look forward to it.

If France be really desirous of accommodation, this plan will accelerate her measures to bring it about. If she have not that desire, it is best to anticipate her final vengeance, and to throw whatever weight we have into the scale opposed to her. This conduct may contribute to disable her to do the mischief which she may meditate.

As it is every moment possible that the project of taking possession of the Floridas and Louisiana, long since attributed to France, may be attempted to be put in execution, it is very important that the Executive should be clothed with power to meet and defeat so dangerous an enterprise. Indeed, if it is the policy of France to leave us in a state of semi-hostility, 't is preferable to terminate it, and by taking possession of those countries for ourselves, to obviate the mischief of their falling into the hands of an active foreign power, and at the same time to secure to the United States the advantage of keeping the key to the Western country. I have been long in the habit of considering the acquisition of those countries as essential to the permanency of the Union which I consider as very important to the welfare of the whole.

If universal empire is still to be the pursuit of France, what can tend to defeat the purpose better than to detach South America from Spain, which is only the channel through which the riches of *Mexico and Peru* are conveyed to France? The Executive ought to be put in a situation to embrace favorable conjunctures for effecting that separation. 'T is to be regretted that the preparation of an adequate military force does not advance more rapidly. There is some sad nonsense on this subject in some good heads. The reveries of some of the friends of the government are more injurious to it than the attacks of its declared enemies.

When will men learn to profit by experience?

TO THEODORE SEDGWICK

February 2, 1799.

What, my dear sir, are you going to do in Virginia? This is a very serious business, which will call for all the wisdom and firmness of the government. The following are the ideas which occur to me on the occasion. The first thing in all great operations of such a government as ours is to secure the opinion of the people. To this end the proceedings of Virginia and Kentucky, with the two laws complained of,[1] should be referred to a special committee. That committee should make a report, exhibiting with great luminousness and particularity the reasons which support the constitutionality and expediency of those laws, the tendency of the doctrines advanced by Virginia and Kentucky to destroy the Constitution of the United States, and with calm dignity united with pathos the full evidence which they afford of a regular conspiracy to overturn the government. And the report should likewise dwell upon the inevitable effect, and probably the intention, of the proceedings to encourage hostile foreign powers to decline accommodation and proceed in hostility.

The government must not merely defend itself, it must attack and arraign its enemies. But in all this there should be great care to distinguish the people of Virginia from their Legislature, and even the greater part of those who may have concurred in the Legislature from their chiefs, manifesting, indeed, a strong confidence in the good sense and

[1] The Alien and Sedition laws.

patriotism of the people that they will not be the dupes of an insidious plan to disunite the people of America, to break down their Constitution, and expose them to the enterprise of a foreign power. This report should conclude with a declaration that there is no cause for a repeal of the laws. If, however, on examination, any modifications consistent with the general design of the laws, but instituting better guards, can be devised, it may be well to propose them as a bridge for those who may incline to retreat over. Concessions of this kind, adroitly made, have a good rather than a bad effect. On a recent, though hasty, revision of the Alien law, it seems to me deficient in precautions against abuse and for the security of citizens. This should not be. No pains or expense should be spared to disseminate this report. A little pamphlet containing it should find its way into every house in Virginia. This should be left to work and nothing to court a shock should be adopted. In the meantime the measures for raising the military force should proceed with activity. 'T is much to be lamented that so much delay has attended the execution of this measure. In times like the present, not a moment ought to have been lost to secure the government so powerful an auxiliary. Whenever the experiment shall be made to subdue a refractory and powerful State by militia, the event will shame the advocates of their sufficiency. In the expedition against the Western insurgents, I trembled every moment lest a great part of the militia should take it into their heads to return home rather than to go forward. When a

clever force has been collected, let them be drawn toward Virginia, for which there is an obvious pretext, then let measures be taken to act upon the laws and put Virginia to the test of resistance. This plan will give time for the fervor of the moment to subside, for reason to resume the reins, and, by dividing its enemies, will enable the government to triumph with ease.[1]

TO TIMOTHY PICKERING

NEW YORK, Feb. 9, 1799.

DEAR SIR:

I am this moment favored with your letter of the 9th instant. I shall immediately reflect on the most important point, and to-morrow give you the result.

The provision in the law is ample. But in this, my dear sir, as in every thing else, we must unite caution with decision. The United States must not be committed on the independence of St. Domingo. No guaranty—no formal treaty—nothing that can rise up in judgment. It will be enough to let Toussaint be assured verbally, but explicitly, that upon his declaration of independence a commercial intercourse will be opened, and continue while he maintains it, and gives due protection to our vessels and property. I incline to think the declaration of independence ought to precede.

[1] Reprinted from the *History of the Republic*, vii., 277.

TO WASHINGTON

(*Private.*)

NEW YORK, Feb. 16, 1799.

DEAR SIR:

Different reasons have conspired to prevent my writing to you since my return to New York—the multiplicity of my avocations, an imperfect state of health, and the want of some thing material to communicate.

The official letter herewith transmitted, will inform you of the disposition of our military affairs which has been recently adopted by the department of war. There shall be no want of exertion on my part to promote the branches of the service confided to my care.

But I more and more discover cause to apprehend that obstacles of a very peculiar kind stand in the way of an efficient and successful management of our military concerns. These it would be unsafe at present to explain.

It may be useful that I should be able to write to you hereafter some confidential matters relating to our administration without the mention of names. When this happens, I shall designate the President by X, the Secretary of State by V, of the Treasury by I, and of the Department of War by C.

Every thing in the northern quarter, as far as I can learn, continues favorable to the government.

TO TIMOTHY PICKERING

NEW YORK, Feb. 21, 1799.

MY DEAR SIR:

The multiplicity of my avocations joined to imperfect health has delayed the communication you

desired respecting St. Domingo. And what is worse, it has prevented my bestowing sufficient thought to offer at present any thing worth having.

No regular system of liberty will at present suit St. Domingo. The government, if independent, must be military—partaking of the feodal system.

A hereditary chief would be best, but this I fear is impracticable.

Let there be then, a single Executive, to hold his place for life.

The person to succeed on a vacancy to be either the officer *next in command in the island at the time of the death* of the predecessor, or the person who by plurality of voices of the commandants of regiments shall be designated within a certain time. In the meantime the principal military officers to administer.

All the males within certain ages to be arranged in military corps, and to be compellable to military service. This may be connected with the tenure of lands.

Let the supreme judiciary authority be vested in twelve judges to be chosen for life by the *generals* or chief military officers.

Trial by jury in all criminal causes not military to be established. The mode of appointing them must be regulated with reference to the general spirit of the establishment.

Every law inflicting capital or other corporal punishment, or levying a tax or contribution in any shape, to be proposed by the Executive to an assembly composed of the generals and commandants of regiments for their sanction or rejection.

All other laws to be enacted by the sole authority of the Executive.

The powers of war and treaty to be in the Executive.

The Executive to be obliged to have three ministers—of finance, war, and foreign affairs—whom he shall nominate to the generals for their approbation or rejection.

The colonels and generals, when once appointed, to hold their offices during good behavior, removed only by conviction of an infamous crime in due course of law or the sentence of a court-martial cashiering them.

Court-martials for trial of officers and capital offences to be not less than twelve, and well guarded as to mode of appointment.

Duties of import and export, taxes on lands and buildings to constitute the chief branches of revenue.

These thoughts are very crude, but perhaps they may afford some hints.

How is the sending an agent to Toussaint to encourage the independency of St. Domingo, and a minister to France to negotiate an accommodation reconcilable to consistency or good faith? [1]

TO THEODORE SEDGWICK

NEW YORK, Feb. 21, 1799.

The step announced in your letter just received, in all its circumstances, would astonish, if any thing from that quarter could astonish.

[1] Now first printed from the Pickering papers in the possession of the Massachusetts Historical Society.

But as it has happened, my present impression is that the measure must go into effect with the additional idea of a commission of three.

The mode must be accommodated with the President. *Murray* is certainly not strong enough for so immensely important a mission.[1]

I will write to-morrow if my impression varies.

TO OLIVER WOLCOTT

NEW YORK, March 13, 1799.

DEAD SIR:

It is natural for people, where their interest is concerned, to die hard. Mr. Juhel, the bearer of this, goes to Philadelphia to lay before you some supplementary evidence with regard to the ship *Germania*, which he hopes may vary your determination. At his request I give him this line to you, merely to say that he is a merchant of this city, of reputation, and, so far as his conduct has fallen under my observation, of candor and probity. I wish him success as far as personal considerations alone are concerned and no general rule of policy is contravened.

But having occasion to write you on a subject connected with the law prohibiting intercourse with the French territories, I ought not to withhold from you an opinion which I deliberately entertain. It is that whatever may have been the intention of the Legis-

[1] This letter refers to the message of John Adams of February 18, 1799, announcing his intention of reopening negotiations with France and nominating William Vans Murray as Minister to the French Republic. This action on the part of the President, taken without consulting even his Cabinet, astonished the country and fell like a thunderbolt upon the Federalists.

lature in framing this law, it is in fact so worded that it will be a very violent thing in a court of justice to pronounce that the prohibition of the third section extends to any but a *French bottom.*

The leading and prominent feature of the prohibition, as to the subject, is a "*French ship or vessel.*" There are subsequent words which, by implication, look to vessels of other descriptions, but they may be understood consistently with the *main and preliminary feature.*

Thus the proviso excepts ships or vessels "*bona fide* the *property of*, or hired or employed by, the citizens of the United States." A French bottom, by her build and registry, may be the property of citizens of the United States. Again, these words will be satisfied by supposing that they intend ships and vessels which were French immediately before the voyage in question, but were purchased for the voyage by citizens of the United States.

And this construction will better consist with the principles which govern the interpretation of penal laws, than to extend the prohibition which is to constitute the penalty beyond the letter by implication and force of proviso which is introduced to make an *exception* to the general terms.

I am well aware of the course which in such a case policy will dictate to the Executive, but if this view of the law be correct, it may afford an argument for a mitigated course where no actual intention to evade appears.[1]

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

TO GENERAL KNOX

MY DEAR SIR: NEW YORK, March 14, 1799.

The enclosed letters, as I concluded from others which accompany them, have been a long time getting to hand. There was a moment when their object seemed to present itself as one not entirely chimerical, but the probability has diminished. 'T is, however, a thing on which the mind may still speculate as in the chapter of extraordinary events which characterize the present wonderful epoch.

My judgment tells me I ought to be silent on a certain subject; but my heart advises otherwise, and my heart has always been the master of my judgment. Believe me I have felt much pain at the idea, that any circumstance personal to me should have deprived the public of your services or occasioned to you the smallest dissatisfaction. Be persuaded, also, that the views of others, not my own, have given shape to what has taken place—and that there has been a serious struggle between my respect and attachment for you and the impression of duty. This sounds, I know, like affectation, but it is nevertheless the truth. In a case in which such great public interests were concerned, it seemed to me the dictate of reason and propriety, not to exercise an opinion of my own, but to leave that of others, who could influence the issue, to take a free course. In saying this much, my only motive is to preserve, if I may, a claim on your friendly disposition towards me, and to give you some evidence that my regard for you is unabated.[1]

[1] This last paragraph refers to Hamilton's having been placed at the head of the provisional army, which had so much chagrined Knox that he had resigned his commission.

TO JAMES McHENRY

(*Private.*)

NEW YORK, March 18, 1799.

Beware, my dear sir, of magnifying a riot into an insurrection, by employing, in the first instance, an inadequate force. 'T is better far to err on the other side.

Whenever the government appears in arms, it ought to appear like a *Hercules*, and inspire respect by the display of strength. The consideration of expense is of no moment compared with the advantages of energy. 'T is true this is always a relative question, but 't is always important to make no mistake. I only offer a *principle* and a *caution*.

A large corps of auxiliary cavalry may be had in Jersey, New York, Delaware, Maryland, without interfering with farming pursuits.

Will it be inexpedient to put under marching orders a large force provisionally, as an eventual support of the corps to be employed, to awe the disaffected?

Let all be well considered.[1]

TO OLIVER WOLCOTT[2]

NEW YORK, March 21, 1799.

DEAR SIR:

It is a good principle for the United States to employ directly its own means, only do not let this be

[1] Reprinted from the *History of the Republic*, vii., 313.

[2] This letter and the preceding refer to the troubles which became known as the Fries rebellion, and which grew out of the resistance in Pennsylvania to the direct taxes. The disturbances were violent and riotous, and at last the President issued a proclamation and ordered out some troops, and the whole affair ended. Fries was arrested, tried, convicted of treason, sentenced to death, and pardoned by President Adams.

carried so far as to confine it to the use of inadequate means, or to embarrass the auxiliary means which circumstances may require.

The idea of the late President's administration of considering the governor of each State as the first general of the militia, and its immediate organ in acting upon the militia, was wisely considered, and, in my opinion, wisely adopted, and well to be adhered to. In its final operation, it will obviate many difficulties and collisions, and by enhancing their importance, tend to draw the State Executives to the general government. Take good care that in the present instance the force be not inadequate.

TO TIMOTHY PICKERING

NEW YORK, April 4, 1799.

SIR:

I observe, by the Boston papers, that some dispatches have been lately found on board a vessel from this port which was carried into Gibraltar. The late consul here, Mr. Rosier, has just been with me, and suggested that the dispatches are probably from him, and allude (but without naming me) to some conversations with me relating to his being received as consul-general some time last winter. Being so much engaged as not to have been able conveniently to call upon you, I mentioned the subject while in Philadelphia to Mr. Wolcott, and was informed by him that Mr. Rosier could not then be received. In the interviews respecting this object,

some general conversation took place about the state of things between the two countries. Mr. Rosier will write to you offering the means of deciphering his dispatches, which he assures me, with every appearance of candor, will be found to contain nothing unfriendly to this country. It is his wish, in the meantime, that no idea may circulate of his being a conspirator.

TO OLIVER WOLCOTT

NEW YORK, April 8, 1799.

DEAR SIR:

I send you in confidence the copy of a letter of this date to the Secretary of War and of the plan to which it refers. Consider it well. Make the Secretary of War talk to you about it, without letting him know that I have sent it to you. And urge the establishment of some plan which will effectually organize this important branch of our military service. The proper course in the interest of the army is indicated by the plan I present. The connections between the agents with the army and the principal officers at the seat of the government admit of such modifications as may be deemed best. I think it desirable to separate the quartermaster-general from the business of procuring supplies, and make him and his deputies, in this respect, checks. In addition to this duty he will have numerous military functions of great importance which will give him abundant employment.[1]

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society.

TO WASHINGTON

(*Private.*)

NEW YORK, June 15, 1799.

DEAR SIR:

I wrote to you a few days since, chiefly to inform you of the progress of the measures respecting the recruiting service, and that the symptoms with regard to it were sufficiently promising. The accounts continue favorable.

I have just received a letter from General Wilkinson,[1] dated the 13th April, in which he assures me he will set out in the ensuing month for the seat of government. The interview with him will be useful.

It strikes me forcibly that it will be both right and expedient to advance this gentleman to the grade of major-general. He has been long steadily in service and long a brigadier. This in so considerable an extension of the military establishment gives him a pretension to promotion.

I am aware that some doubts have been entertained of him, and that his character on certain sides gives room for doubts. Yet he is at present in the service, is a man of more than ordinary talent—of courage and enterprise,—has discovered upon various occasions a good zeal, has embraced military

[1] James Wilkinson, a soldier of the Revolution, and conspicuous at the time of Burr's conspiracy and in the War of 1812. He was a born intriguer. During the Revolutionary War he was mixed up in the Conway cabal. He was involved with Burr, whom he finally decided to give up, at the time of the latter's conspiracy, and in the War of 1812 he was singularly unsuccessful and contentious. Hamilton's apparently favorable opinion is rather curious, although it is obvious that he recommends Wilkinson's promotion with many doubts.

pursuits as a profession, and will naturally find his interest, as an ambitious man, in deserving the favor of the government. While he will be apt to become disgusted if neglected, and through disgust may be rendered really what he is now only suspected to be. Under such circumstances it seems to me good policy to avoid all just grounds of discontent and to make it the interest of the individual to pursue his duty.

If you should be also of this opinion, I submit to your consideration whether it would not be advisable for you to express it in a private letter to the Secretary of War.[1]

TO COLONEL TAYLOR[2]

NEW YORK, July 3, 1799.

SIR:

I have written to the Secretary of War agreeably to the suggestion of your letter of the 26th of June, respecting Abijah Fenn. It is to be lamented that the most circumspect men are apt to have too much facility about recommendations. Warned by this instance, it is hoped that you will in future not present a candidate without personal knowledge or inquiry through various channels.

[1] Now first printed from the Hamilton papers in the State Department.

[2] I have not been able to determine absolutely the identity of Col. Taylor, but I think it must have been Robert Barnard Taylor, of Virginia, afterwards Brigadier-General of Virginia militia and finally General in the regular army. This letter is now first printed from the Hamilton papers in the State Department.

TO JAMES McHENRY

(*Private.*)

NEW YORK, July 10, 1799.

Why, my dear friend, do you suffer the business of providing to go on as it does? Every moment proves the insufficiency of the existing plan and the necessity of auxiliaries. I have no doubt that at Baltimore, New York, Providence, and Boston additional supplies of clothing may promptly be procured and prepared by your agents, and it ought to be done, though it should enhance the expense. 'T is terrible at this juncture that there should be wants anywhere.

So of tents. Calls for them are repeated from Massachusetts, where, better and cheaper than anywhere else, they can certainly be provided.

Pray, take a resolution adequate to the emergency, and rescue the credit of your department.[1]

TO JOSIAH O. HOFFMAN[2]

1799.

SIR:

Greenleaf's *New Daily Advertiser* of this morning contains a publication entitled, "Extract of a Letter from Philadelphia, dated September 20th," which charges me with being at the "bottom of an effort recently made to suppress the *Aurora*" (a newspaper of that city) by pecuniary means.

[1] Now first printed from the Hamilton papers in the State Department.

[2] Attorney-General of New York. This letter is undated in original, and is dated and placed here according to the edition of 1850. It was probably written in September or October of this year.

It is well known that I have long been the object of the most malignant calumnies of the faction opposed to our government through the medium of the papers devoted to their views. Hitherto I have forborne to resort to the laws for the punishment of the authors or abettors, and were I to consult personal considerations alone, I should continue in this course, repaying hatred with contempt.

But public motives now compel me to a different conduct. The designs of that faction to overturn our government, and with it the great pillars of social security and happiness in this country, become every day more manifest, and have of late acquired a degree of system which renders them formidable.

One principal engine for effecting the scheme is by audacious falsehoods to destroy the confidence of the people in all those who are in any degree conspicuous among the supporters of the government—an engine which has been employed in time past with too much success, and which, unless counteracted in future, is likely to be attended with very fatal consequences.

To counteract it is therefore a duty to the community. Among the specimens of this contrivance, that which is the subject of the present letter demands peculiar attention. A bolder calumny—one more absolutely destitute of foundation—was never propagated, and its dangerous tendency needs no comment; being calculated to inspire the belief that the independence and liberty of the press are endangered by the intrigues of ambitious citizens aided by

foreign gold. In so flagrant a case the force of the laws must be tried.

I therefore request that you will take immediate measures towards the prosecution of the persons who conduct the enclosed paper.

TO WASHINGTON

NEW YORK, Oct. 21, 1799.

DEAR SIR:

On my return from Trenton the day before yesterday I found your private letter of the 13th as well as your public letter of the 15th instant.

The newspapers have probably informed you that poor Avery is dead of the yellow fever.

The President has resolved to send the commissioners to France, notwithstanding the change of affairs there. He is not understood to have consulted either of his ministers; certainly not either the Secretary of War or of Finance. All my calculations lead me to regret the measure. I hope that it may not in its consequences involve the United States in a war on the side of France with her enemies.

My trust in Providence, which has so often interposed in our favor, is my only consolation.

TO TOBIAS LEAR [1]

NEW YORK, Jan. 2, 1800.

DEAR SIR:

Your letter of the 15th of December last was delayed in getting to hand by the circumstance of its

[1] Washington's private secretary.

having gone to New York while I was at Philadelphia, and of its having arrived at Philadelphia after I had set out on my return to New York.

The very painful event which it announces had, previous to the receipt of it, filled my heart with bitterness. Perhaps no man in this community has equal cause with myself to deplore the loss. I have been much indebted to the kindness of the General, and he was an *Ægis very essential to me*. But regrets are unavailing. For great misfortunes it is the business of reason to seek consolation. The friends of General Washington have very noble ones. If virtue can secure happiness in another world, he is happy. In this the seal is now put upon *his* glory. It is no longer in jeopardy from the fickleness of fortune.

P. S.—In whose hands are his papers gone? Our very confidential situation will not permit this to be a point of indifference to me.

TO RUFUS KING

NEW YORK, Jan. 5, 1800.

It is indeed a long time, my dear sir, since I have written to you, and I feel my obligation to you for the continuance of your correspondence, notwithstanding my delinquency.

Had it been true that I had left every thing else to follow the drum, my delinquency would not have been so great. But our military establishment offers too little inducement, and is too precarious to

have permitted a total dereliction of professional pursuits. The double occupation occasioned by these added military duties, and the attention which circumstances call me to pay to collateral objects, engage my time more than ever, and leave me less leisure to communicate with distant friends.

If the projected cipher was established, I should now have very much to say to you. But for this the arrangement is not yet mature. Soon, however, I hope to make it so, by forwarding to you the counterpart, which is in preparation. I must, however, give you some sketch of our affairs.

At home every thing is in the main well; except as to the perverseness and capriciousness of one, and the spirit of faction of many.

Our measures from the first cause are too much the effect of momentary impulse. Vanity and jealousy exclude all counsel. Passion wrests the helm from reason.

The irreparable loss of an inestimable man removes a control which was felt, and was very salutary.

The leading friends of the government are in a sad dilemma. Shall they risk a serious schism by an attempt to change? Or shall they annihilate themselves and hazard their cause by continuing to uphold those who suspect or hate them, and who are likely to pursue a course for no better reason than because it is contrary to that which they approve?

The spirit of faction is abated nowhere. In Virginia it is more violent than ever. It seems demonstrated that the leaders there, who possess completely all the powers of the local government,

are resolved to possess those of the national, by the most dangerous combinations; and, if they cannot effect this, to resort to the employment of physical force. The want of disposition in the people to second them will be the only preventive. It is believed that it will be an effectual one.

In the two houses of Congress we have a decided majority. But the dread of unpopularity is likely to paralyze it, and to prevent the erection of additional buttresses to the Constitution, a fabric which can hardly be stationary, and which will retrograde if it cannot be made to advance.

In the mass of the people the dispositions are not bad. An attachment to the system of peace continues. No project contrary to it could easily conciliate favor. Good-will towards the government, in my opinion, predominates; though a numerous party is still actuated by an opposite sentiment, and some vague discontents have a more diffused influence. Sympathy with the French Revolution acts in a much narrower circle than formerly, but the jealousy of monarchy, which is as actual as ever, still furnishes a handle by which the factions mislead well-meaning persons.

In our councils there is no fixed plan. Some are for preserving and invigorating the navy and destroying the army. Some among the friends of government for diminishing both on pecuniary considerations.

My plan is to complete the navy to the contemplated extent: say, six ships of the line, twelve frigates, and twenty-four sloops of war; to make no

alteration for the present as to the military force; and, finally, to preserve the organs of the existing force, reducing the men to a very moderate number. For this plan there are various reasons that appear to me solid. I must doubt, however, that it will finally prevail.

The recent depredations of British cruisers, sanctioned in various instances by the courts, have rekindled in many hearts an animosity which was fast being extinguished. Such persons think they see in this circumstance a new proof that friendship towards this country on the part of Great Britain will always be measured by the scale of her success. A very perplexing conflict of sensations is the result of this impression.

I must hasten to a conclusion. It was unnecessary for me to have told you that for the loss of our illustrious friend every heart is in mourning. Adieu.

Who is to be Commander-in-Chief?

Not the next in command. The appointment will probably be deferred.

TO MRS. MARTHA WASHINGTON

NEW YORK, Jan. 12, 1800.

I did not think it proper, madam, to intrude amidst the first effusions of your grief; but I can no longer restrain my sensibility from conveying to you an imperfect expression of my affectionate sympathy in the sorrows you experience. No one better than myself knows the greatness of your loss, or how much your excellent heart is formed to feel it in all its ex-

tent. Satisfied that you cannot receive consolation, I will attempt to offer none. Resignation to the will of Heaven, which the practice of your life insures, can alone alleviate the sufferings of so heartrending an affliction.

There can be few who equally with me participate in the loss you deplore. In expressing this sentiment, I may, without impropriety, allude to the numerous and distinguished marks of confidence and friendship of which you have yourself been a witness, but I cannot say in how many ways the continuance of that confidence and friendship was necessary to me in future relations. Vain, however, are regrets. From a calamity which is common to a mourning nation, who can expect to be exempt? Perhaps it is even a privilege to have a claim to a larger portion of it than others.

I will only add, madam, that I shall esteem it a real and a great happiness if any future occurrence shall enable me to give you proof of that respectful and cordial attachment with which, etc.

TO CAPTAIN GEORGE IZARD [1]

NEW YORK, Feb. 27, 1800.

SIR:

Your letter of the 25th instant was received yesterday. I should certainly regret any occurrence

[1] Son of Ralph Izard, delegate and Senator from South Carolina. He was at this time Hamilton's aid, and remained in the army until 1803, when he resigned. He re-entered the army in 1812, and at the close of the war was a major-general, when he again resigned from the army, and was appointed governor of the Territory of Arkansas, a post he held until his death in 1825.

which might deprive me of your services, unless being one which was likely to redound to your own honor and advantage.

It is very certain that the military career in this country offers too few inducements, and it is equally certain that my *present* station in the army *cannot* very long continue under the plan which seems to govern. With these impressions it would consist with a candid and friendly part towards you to discourage your acceptance of the invitation you mention. You are doubtless aware of the uncertainties which rest on the diplomatic state also, and after balancing well you will make your election, perfectly assured of my cordial acquiescence in either event and of my constant wishes for your success.

Major Toussard has informed me of his progress in preparing the regulations. The necessity of your further attention to this object has ceased.[1]

TO THEODORE SEDGWICK

NEW YORK, Feb. 27, 1800.

DEAR SIR:

When will Congress probably adjourn? Will any thing be settled as to a certain *election?* Will my presence be requisite as to this or any other purpose, and when?

I observe more and more that by the jealousy and envy of some, the miserliness of others, and the concurring influence of *all foreign powers*, America, if

[1] Now first printed from the Hamilton papers in the State Department.

she attains to greatness, must *creep* to it. Will it be so? Slow and sure is no bad maxim. Snails are a wise generation.

P. S.—Unless for indispensable reasons, I had rather not come.

TO HENRY LEE

NEW YORK, March 7, 1800.

MY DEAR SIR:

The letters to which you allude in yours of the 5th instant have never been seen by me. The truth is, that I pay very little attention to such newspaper ebullitions, unless some friend points out a particular case which may demand attention.

But be assured once for all, that it is not easy for these miscreants to impair the confidence in and friendship for you, which are long habits of my mind; so that you may join me in looking with indifference upon their malicious efforts.

You have mistaken a little an observation in my last. Believe me, that I feel no despondency of any sort. As to the country, it is too young and vigorous to be quacked out of its political health; and as to myself, I feel that I stand on ground which, sooner or later, will insure me a triumph over all my enemies.

But in the meantime I am not wholly insensible of the injustice which I from time to time experience, and of which, in my opinion, I am at this moment the victim.

Perhaps my sensibility is the effect of an exaggerated estimate of my services to the United States; but on such a subject a man will judge for himself; and if he is misled by his vanity, he must be content with the mortifications to which it exposes him. In no event, however, will any displeasure I may feel be at war with the public interest. This in my eyes is sacred. Adieu.

TO WILLIAM SMITH

NEW YORK, March 11, 1800.

DEAR SIR:

You will probably have heard, before this reaches you, that I had appointed Captain Izard one of my aids. I part with him to you with all the reluctance that a strong impression of his merit can inspire. Yet I do not resist his going, because our military prospects in general, and mine in particular, are very uncertain.

Though we have had no communication since your departure, you may be assured that I have not ceased to interest myself in your welfare. If you go to Constantinople, I wish you good luck. It is, perhaps, past the time for you to play the false *Ibrahim*. You see I am in a humor to laugh. What can we do better in *this best of all possible worlds?* Should you even be shut up in the seven towers, or get the plague, if you are a true philosopher you will consider this only a laughing matter. Adieu.

TO OLIVER WOLCOTT

NEW YORK, March 12, 1800.

SIR:

I have written to you heretofore respecting Mr. Benjamin Wells, who acted as an excise officer in the western part of Pennsylvania at the time of the disturbances there. But this gentleman has just arrived here, and requests me to mention his case again to you. I comply with his request.

It appeared from what I saw and heard at the time, that Mr. Wells distinguished himself by persevering exertion to carry the laws into effect. He was, of course, marked out as an object of vengeance. The losses which he sustained were very considerable, and proceeded from the zeal he had displayed in support of the government. To repair his losses and reward his zeal, is therefore a duty imposed on the government by the principles both of justice and policy. It is imposed by justice—for the injuries were committed by persons in disguise, or under circumstances which render it impossible to discover the offenders. It is vain, therefore, to refer Mr. Wells to the individuals by whose acts he suffered. This is to tell him that his losses will never be repaired.

Policy speaks in this case the same language with justice. Mr. Wells suffered in consequence of his efforts to support the government, and of his attention to duty. Will the government then refuse to make him compensation? To do so, will be to violate the plainest maxims of policy, as it will effectually damp the zeal of public officers in every future

case of difficulty. It is not to be expected that individuals will expose their persons to violence, and their property to destruction, in support of a government that has not generosity sufficient to reward those who suffer in its cause.

There appears to me to be no doubt of the meritorious exertions of Mr. Wells. Even if there were some doubt, yet the excellent effect which the measure is calculated to produce on public officers, will prove a full compensation for the money that may be advanced. I recollect to have mentioned to Mr. Wells, and other persons in the same capacity, that I considered the government as bound to indemnify them. So far, therefore, as my opinion could pledge the government, it was pledged. In giving this opinion I thought I was promoting the best interests of the nation, and it appears to me that the government will very widely mistake its policy in refusing to allow these men all reasonable claims.

TO TIMOTHY PICKERING

NEW YORK, March 15, 1800.

DEAR SIR:

The bearer of this, Mr. DuPont, formerly consul at Charleston, is personally known to you. He comes with the rest of his family to establish themselves in the United States. They are desirous of being favorably viewed by our government, and my intervention for this purpose has been requested.

Inclosed is a letter from General Pinckney, which

speaks for itself. All that has come to my knowledge of this particular gentleman is recommendatory of him, as far as situation has permitted. I have always understood that his sentiments towards this country have been amicable, and that he has not been very deeply tinctured with the revolutionary spirit of his own, though circumstances have placed him in office under the new government. And I believe, if ever diseased, he is now perfectly cured. He is afraid that some expressions respecting the influence of the British Government in this country may have given an ill impression. He explains by saying, first, that they are qualified; second, that they were a necessary concession to the prejudices of the persons to whom his observations were addressed, calculated to procure attention to the conciliatory plan which he recommended, by screening him from the suspicion of being a corrupted partisan of this country. This solution seems to me an admissible one. In addressing enthusiasts, it is commonly requisite to adopt a little of their nonsense.

He has delivered me a paper which he sent to the *Aurora* to be published, but which he said was suppressed, and some thing of an insidious complexion substituted. He delivers the true communication, that it may be seen what he really did.

I am much mistaken if his father be not really a benevolent, well-disposed man. Indeed, the family generally impress us here agreeably, and we are inclined to augur well of them.[1]

[1] Now first printed from the Pickering papers in the possession of the Massachusetts Historical Society.

TO OLIVER WOLCOTT

NEW YORK, April 7, 1800.

DEAR SIR:

I thank you for the disposition shown to accommodate Mr. Robertson. When I saw him some days ago, he hoped that the matter would be placed upon the footing which was indicated.

I would readily comply with the wish of Mr. Evans, was I sure that it would not be a breach of propriety towards Mr. Madison. But if my memory does not deceive me, there was a sort of understanding between us that there should be no disclosure but by mutual consent. You will be sensible that I ought to be peculiarly circumspect with regard to this gentleman.[1]

TO GENERAL CHARLES COTESWORTH PINCKNEY

(*Private.*)

NEW YORK, April 10, 1800.

DEAR SIR:

I am perfectly content with the delay of communication to the Rev. Mr. Hill until the effect of your experiments with the Secretary of War shall be known.

I have heard nothing as to the impression made by our mission to France upon the combined powers,

[1] Now first printed from the Wolcott papers in the possession of the Connecticut Historical Society. Mr. Evans's question must have referred, I think, to the authorship of the *Federalist*, and one cannot help contrasting Hamilton's nice sense of honor, as shown here, with the course of Monroe in the Reynolds case. With Hamilton his differences with Madison only served to make him more circumspect.

but I cannot doubt that it is a disagreeable one, and certainly the course of events lately has not said much for the good policy of the measure. This calculation of the President on a general peace as the main argument for what was done, proves at least to be as fallacious as I ventured to predict to him just after he had resolved to consummate the error. Captain Izard has accepted his appointment under Mr. Smith, and has sailed for Europe.

Mrs. H. and myself have learned with great pleasure the amendment of Mrs. P.'s health. Offer her and accept yourself our felicitations and best wishes.

TO TIMOTHY PICKERING

April 25, 1800.

DEAR SIR:

I send you the paragraph of a newspaper just published. I hope it is an electioneering lie; but as it is likely to do mischief, I will thank you, by return of post, to inform me whether you have any thing to confirm or refute, and particularly whether you have heard of the list with which Commodore Truxtun's[1] name is connected.

[1] Thomas Truxtun, the first of our naval officers to win distinction. He had been Captain of the *Constellation*, and in that frigate captured the French frigate *L'Insurgente*, Feb. 9, 1799. A year later he overcame another—*La Vengeance*, but she escaped by an accident to one of the masts of Truxtun's ship. In 1802, he was given the command of the Tripoli expedition, but refusing to go because the department would not allow him a captain as usual for his flag-ship, Jefferson dismissed him from the service. It is needless to add that he had always been a strong Federalist.

(Copy of enclosed paragraph)

NEW HAVEN, April 15th.

Captain James Stewart, of Chatham, in the brig *Sally*, arrived at New London on the 4th instant, from Jamaica, brings the most unpleasant accounts from that quarter. He states that the British capture all American vessels that afford the slightest pretext for condemnation, and impress all their seamen without discrimination. Captain Stewart was taken by his majesty's ship *Acasto*, of forty-four guns, the commander of which, Edward Fellows, came on board the *Sally* himself, ordered Captain Stewart's chest open, and, with his own hands, took out 4250 dollars, besides plundering the captain of other articles.

On the arrival of the brig at Kingston, every man on board except the captain and boy, all natives of Connecticut, were impressed, and are left there. Captain Nathan Allyn, of Groton, had all his people impressed, with their protections in their hands. Captain Waterman, of New York, was treated in the same manner, with many others. And Mr. Savage, the American agent in Kingston, informed Captain Stewart that he had forwarded to the Secretary of State, by Commodore Truxtun, an attested list of the names of one thousand and one *bona fide* American seamen who have lately been impressed by the British in that single port. American vessels and cargoes were constantly condemned in that place, a full account of which must soon be made public. Several masters and supercargoes of condemned vessels came home with Captain Stewart, who, besides the general usage, was himself treated with personal incivilities and contempt.

TO THEODORE SEDGWICK

May 4, 1800.

DEAR SIR:

You have heard of the loss of our election in the city of New York. This renders it too probable that the electors of President for this State will be anti-federal. If so, the policy which I was desirous of pursuing at the last election is now recommended by motives of additional cogency.

To support *Adams* and *Pinckney* equally is the only thing that can possibly save us from the fangs of *Jefferson.*

It is, therefore, essential that the Federalists should not separate without coming to a distinct and solemn concert to pursue this course *bona fide.*

Pray attend to this, and let me speedily hear from you that it is done.

TO JOHN JAY

NEW YORK, May 7, 1800.

DEAR SIR:

You have been informed of the loss of our election in this city. It is also known that we have been unfortunate throughout Long Island and in Westchester. According to the returns hitherto, it is too probable that we lose our senators for this district.

The moral certainty therefore is, that there will be an anti-federal majority in the ensuing Legislature; and the very high probability is that this will bring *Jefferson* into the chief magistracy, unless it be

prevented by the measure which I shall now submit to your consideration, namely, the immediate calling together of the existing Legislature.

I am aware that there are weighty objections to the measure, but the reasons for it appear to me to outweigh the objections; and in times like these in which we live, it will not do to be over-scrupulous. *It is easy to sacrifice the substantial interests of society by a strict adherence to ordinary rules.*

In observing this, I shall not be supposed to mean that any thing ought to be done which integrity will forbid, but merely that the scruples of delicacy and propriety, as relative to a common course of things, ought to yield to the extraordinary nature of the crisis. They ought not to hinder the taking of a *legal* and *constitutional* step to prevent an atheist in religion, and a fanatic in politics, from getting possession of the helm of state.

You, sir, know in a great degree the anti-federal party; but I fear you do not know them as well as I do. It is a composition, indeed, of very incongruous materials; but all tending to mischief—some of them, to the OVERTHROW of the GOVERNMENT, by stripping it of its due energies; others of them, to a REVOLUTION, after the manner of BONAPARTE. I speak from indubitable facts, not from conjectures and inferences. In proportion as the true character of the party is understood, is the force of the considerations which urge to every effort to disappoint it; and it seems to me, that there is a very solemn obligation to employ the means in our power.

The calling of the Legislature will have for its ob-

ject the *choosing of electors by the people in districts;* this (as Pennsylvania will do nothing) will insure a majority of votes in the United States for a federal candidate. The measure will not fail to be approved by all the federal party; while it will, no doubt, be condemned by the opposite. As to its intrinsic nature, it is justified by unequivocal reasons of PUBLIC SAFETY.

The reasonable part of the world will, I believe, approve it. They will see it as a proceeding out of the common course, but warranted by the particular nature of the crisis and the great cause of social order.

If done, the motive ought to be frankly avowed. In your communication to the Legislature they ought to be told that temporary circumstances had rendered it probable that, without their interposition, the executive authority of the general government would be transferred to hands hostile to the system heretofore pursued with so much success, and dangerous to the peace, happiness, and order of the country; that under this impression, from facts convincing to your own mind, you had thought it your duty to give the existing Legislature an opportunity for deliberating whether it would not be proper to interpose, and endeavor to prevent so great an evil by referring the choice of electors to the people distributed into districts.

In weighing this suggestion you will doubtless bear in mind that popular governments must certainly be overturned, and, while they endure, prove engines of mischief, if one party will call to its aid all the

resources which vice can give, and if the other (however pressing the emergency) confines itself within all the ordinary forms of delicacy and decorum.

The Legislature can be brought together in three weeks, so that there will be full time for the object; but none ought to be lost.

Think well, my dear sir, of this proposition—appreciate the extreme danger of the crisis; and I am unusually mistaken in my view of the matter, if you do not see it right and expedient to adopt the measure.[1]

TO THEODORE SEDGWICK

NEW YORK, May 8, 1800.

I thank you, my dear sir, for your letter of the 5th instant, which was received yesterday. The measure you mention has been attempted, but without much hope of success.

Yet our friends are to-day in good spirits. The accounts from the northward, apparently authentic, give us the strong hope of still having a majority in our Legislature. But, be this as it may, our welfare depends absolutely on a faithful adherence to the plan which has been adopted. New York, if federal, will not go for Mr. Adams unless there shall be as firm a pledge as the nature of the thing will admit, that Mr. Pinckney will be equally supported in the Northern States.

[1] The proposition in this letter was one entirely unworthy of Hamilton. It was due to his anger and disgust at the result of the election in New York. Jay endorsed the letter "Proposing a measure for party purposes which it would not become me to adopt."

TO THEODORE SEDGWICK

NEW YORK, May 10, 1800.

DEAR SIR:

I am very sorry for the information contained in your letter of the 7th. But I am not intimate enough with Dexter to put myself upon paper to him.

If on his return I can catch him at New York I shall have a particular conversation with him.

He is, I am persuaded, much mistaken as to the opinion entertained of Mr. Adams by the federal party. Were I to determine from my own observation, I should say *most* of the most *influential men* of that party consider him as a very *unfit* and *incapable* character.

For my individual part my mind is made up. I will never more be responsible for him by my direct support, even though the consequence should be the election of *Jefferson*.

If we must have an *enemy* at the head of the government, let it be one whom we can oppose, and for whom we are not responsible, who will not involve our party in the disgrace of his foolish and bad measures. Under *Adams*, as under *Jefferson*, the government will sink. The party in the hands of whose chief it shall sink will sink with it, and the advantage will all be on the side of his adversaries.

'T is a notable expedient for keeping the federal party together, to have at the head of it a man who hates and is despised by those men of it who, in time past, have been its most efficient supporters. If the cause is to be sacrificed to a weak and perverse man, I withdraw from the party and act upon

my own ground—never certainly against my principles, but in pursuance of them in my own way. I am mistaken if others do not do the same.

The only way to prevent a fatal schism in the federal party is to support General Pinckney in good earnest.

If I can be perfectly satisfied that Adams and Pinckney will be upheld in the East with entire good faith, on the ground of conformity, I will, wherever my influence may extend, pursue the same plan.

If not, I will pursue Mr. Pinckney as my single object. Adieu.

TO TIMOTHY PICKERING

May 14, 1800.

MY DEAR SIR:

I perceive that you as well as McHenry are quitting the administration. I am not informed how all this has been, though I conjecture. Allow me to suggest that you ought to take with you copies and extracts of all such documents as will enable you to explain both *Jefferson* and *Adams*. You are aware of a very curious journal of the latter when he was in Europe —a tissue of weakness and vanity.

The time is coming when men of real integrity and energy must write against all empirics.[1]

[1] Now first printed from the Pickering papers in the possession of the Massachusetts Historical Society.

TO OLIVER WOLCOTT

NEW YORK, July 1, 1800.

DEAR SIR:

I send you the enclosed; if any good use can be made of it, you will do it. I have been in Massachusetts, New Hampshire, and Rhode Island. There is little doubt of federal electors in all, but there is considerable doubt of a perfect union in favor of Pinckney.

The leaders of the first class are generally right, but those of the second class are too much disposed to be wrong. It is essential to inform the most discreet of this description of the facts which denote unfitness in Mr. Adams. I have promised confidential friends a correct statement. To be able to give it, I must derive aid from you, and any thing you may write shall, if you please, be returned to you. But you must be exact, and much in detail. The history of the mission to France, from the first steps connected with the *declarations in the speech to Congress* down to the last proceeding, is very important.

I have serious thoughts of writing to the *President*, to tell him that I have heard of his having repeatedly mentioned the existence of a British faction in this country, and alluded to me as one of that faction, requesting that he will inform me of the truth of this information, and, if true, what have been the grounds of the suggestion. His friends are industrious in propagating the idea, to defeat the efforts to unite for Pinckney. The inquiry I propose may furnish an antidote and vindicate character. What think you of this idea? For my part, I can set malice at defiance.

TO CHARLES CARROLL [1]

NEW YORK, July 1, 1800.

DEAR SIR:

I yesterday returned from an excursion through three of the four Eastern States, and found your letter of the 18th of April. It is very necessary that the true and independent friends of the government should communicate and understand each other at the present very embarrassed and dangerous crisis of public affairs. I am glad, therefore, of the opportunity which your letter affords me of giving you some explanations which may be useful. They are given without reserve, because the times forbid temporizing, and I hold no opinions which I have any motives to dissemble. As to the situation of this State with regard to the election of President, it is perfectly ascertained that, on a joint ballot of the two houses of our Legislature, the opposers of the government will have a majority of more than twenty, a majority which can by no means be overcome. Consequently all our electors will vote for Mr. Jefferson and Mr. Burr. I think there is little cause to doubt that the electors in the four Eastern States will all be federal.

The only question seems to be as to Rhode Island, where there is some division, and a state of things rather loose. Governor Fenner, as far as he may dare, will promote the interest of Jefferson.

A considerable diversion in favor of the opposition

[1] Charles Carroll, of Maryland, who lived to be the last survivor of the signers of the Declaration of Independence. Among the Hamilton papers in the State Department is a draft of this letter addressed to Jonathan R. Wilmer, also of Maryland.

has lately been made in New Jersey, but the best and best-informed men there entertain no doubt that all her electors will still be federal, and I believe this opinion may be relied upon.

I go no further south, as I take it for granted your means of calculation with regard to that quarter are at least equal to mine.

The result of a comprehensive view of the subject seems to me to be that the event is uncertain, but that the probability is that a universal adherence of the Federalists to Pinckney will exclude Jefferson.

On this point there is some danger, though the greatest number of strong-minded men in New England are not only satisfied of the expediency of supporting *Pinckney* as giving the best chance against Jefferson, but even prefer him to *Adams;* yet, in the body of that people there is a strong personal attachment to this gentleman, and most of the leaders of the second class are so anxious for his re-election that it will be difficult to convince them that there is as much danger of its failure as there unquestionably is, or to induce them faithfully to co-operate in Mr. Pinckney, notwithstanding their common and strong dread of Jefferson.

It may become advisable, in order to oppose their fears to their *prejudices*, for the middle States to declare that Mr. Adams will not be supported at all, when, seeing his success desperate, they would be driven to adhere to *Pinckney*. In this plan New Jersey, and even Connecticut, may be brought to concur. For both these States have generally lost confidence in Mr. Adams.

But this will be best decided by future events and elucidations. In the meantime, it is not advisable that Maryland should be too deeply pledged to the support of Mr. Adams.

That this gentleman ought not to be the object of the federal wish is, with me, reduced to demonstration. His administration has already very materially disgraced and sunk the government. There are defects in his character which must inevitably continue to do this more and more. And if he is supported by the federal party, his party must, in the issue, fall with him. Every other calculation will, in my judgment, prove illusory.

Doctor *Franklin*, a sagacious observer of human nature, drew this portrait of Mr. Adams: "He is always honest, *sometimes* great, but *often mad.*" I subscribe to the justness of this picture, adding, as to the first trait of it, this qualification: "as far as a man excessively *vain* and *jealous* and *ignobly* attached *to place* can be."

TO SAMUEL DEXTER [1]

NEW YORK, July 9, 1800.

SIR:

From a letter (not, however, couched in very explicit terms) which I have received from Mr. Bureaux de Pusy,[2] I am induced to think that this

[1] Samuel Dexter, the eminent lawyer of Massachusetts, at this time Secretary of War.

[2] Jean Xavier Bureaux de Pusy was, as here said, a distinguished French officer and friend of Lafayette, whose imprisonment he shared at Olmutz. He came to this country in 1797, but returned after the 18th Brumaire, and filled in succession three important prefectures under Napoleon.

gentleman would be willing to accept an appointment in the service of the United States.

He was, under the royal government, an engineer of distinction in the service of France. You are, I dare say, informed of his political history. He was a member and once president of the constituent assembly. Attached warmly to Lafayette and involved in his fortunes, he withdrew with him and was his fellow prisoner with the Russians and Austrians. Tired of the tempest of Europe himself, with his father-in-law DuPont de Nemours,[1] and the whole connection have removed to this country and made a little establishment in Bergen County, New Jersey.

His professional pretensions admit of no dispute. His private character is amiable; his intelligence and information are highly respectable.

After mature reflection I am well satisfied that it is advisable for the United States to engage him if they can. He may be one of the two engineers whom the President is empowered to employ with the grade of colonel and such emoluments as he may think proper to agree for.

As the grade is rather below the pretensions of Mr. de Pusy, he may expect an increase of emoluments, which indeed is agreeable to the spirit of the provision made for this object.

There is a little probability of finding a person

[1] Pierre Samuel DuPont de Nemours, an eminent French economist and statesman. He took an active part in the Revolution, sustaining the moderate party, was thrown into prison, and narrowly escaped transportation. He came to this country in 1797, returned in 1802, but declined office under Napoleon, and in 1815 came back to the United States, where he died two years later.

better qualified than in all probability is this gentleman.

The institution of a military academy being an object of primary importance, will, I doubt not, be zealously pursued. Whenever it shall take place, Mr. de Pusy will be a most desirable character to be at the head of it.[1]

TO JOHN ADAMS

NEW YORK, Aug. 1, 1800.

SIR:

It has been repeatedly mentioned to me that you have on different occasions asserted the existence of a British faction in this country, embracing a number of leading or influential characters of the federal party, as usually denominated; and that you have sometimes named me, at others plainly alluded to me, as one of this description of persons. And I have likewise been assured that of late some of your warm adherents, for electioneering purposes, have employed a corresponding language. I must, sir, take it for granted that you cannot have made such assertions or insinuations without being willing to avow them, and to assign the reasons to a party who may conceive himself injured by them. I therefore trust that you will not deem it improper, that I apply directly to yourself, to ascertain from you, in reference to your own declarations, whether the information I have received is correct or not, and if correct, what are the grounds upon which you have founded the suggestion.

[1] Now first printed from the Hamilton papers in the State Department.

TO OLIVER WOLCOTT

NEW YORK, Aug. 3, 1800.

DEAR SIR:

I have, two days since, written to Mr. Adams a *respectful* letter on the subject I heretofore mentioned to you. Occupation at court prevented its being done sooner.

But I wait with impatience for the statement of facts which you promised me. It is plain that, unless we give our reasons in some form or other, Mr. Adams' personal friends, seconded by the Jacobins, will completely *run us down in the public opinion.* Your name, in company with mine, that of T. Pickering etc., is in full circulation, as one of the *British faction* of which Mr. Adams has talked so much.

I have serious thoughts of giving to the public my opinion respecting Mr. Adams, with my reasons, in a letter to a friend, with my signature. This seems to me the most authentic way of conveying the information, and best suited to the plain dealing of my character. There are, however, reasons against it; and a very strong one is, that some of the principal causes of my disapprobation proceed from yourself, and other members of the administration, who would be understood to be the sources of my information, whatever cover I might give the thing.

What say you to this measure? I could predicate it on the fact that I am abused by the friends of Mr. Adams, who ascribe my opposition to pique and disappointment; and could give it the shape of a *defence of myself.*

You have doubtless seen the *Aurora* publication

of treasury documents, and the manner in which my name is connected with it. These publications do harm with the ignorant, who are the greatest number. I have thoughts of insinuating an action of slander, to be tried by a struck jury, against the editor. If I do it, I should claim you and the supervisors, collectors, and loan officers of all the States, from Maryland to New York, inclusively, as witnesses, to demonstrate completely the malice and falsity of the accusation. What think you of this? You see I am in a very belligerent humor.

But I remember that, at the outset, before the sums payable for interest, pensions, etc., were ascertained, I placed the money in the hands of the paying officers, upon estimate, and that, to avoid disappointment, I made the estimates large. Pray look into this, and see how far it may give any color to the calumny.

Let me hear from you soon.

TO JAMES ASHTON BAYARD [1]

NEW YORK, Aug. 6, 1800.

DEAR SIR:

The president of Columbia College, in this city, has resigned, and we are looking out for a successor. Dr. Wharton has occurred to me as a character worthy of inquiry; and the great confidence I feel in your judgment and candor, induces me to have recourse to you.

[1] At this time member of Congress, from Delaware; afterwards for many years Senator from that State. He was one of the peace commissioners at Ghent, and died soon after his return, in August, 1815.

We are extremely anxious to have a well-qualified man, as this is the only thing wanted to render our institution very flourishing. We have two very good professors—one of the languages, the other of the mathematics and natural philosophy; and we have a professor of chemistry—this branch having been lately made a part of the academic course,—together with better funds, as I believe, than any similar institution in the United States. I mention these particulars to impress you with the importance of our college to the cause of literature, and with the duty which thence results of peculiar circumspection and care in the choice of a president. It is essential that he be a gentleman in his manners, as well as a sound and polite scholar; that his moral character be irreproachable; that he possess energy of body and mind, and be of a disposition to maintain discipline without *undue austerity;* and, in the last place, that his politics be of the right sort. I beg you to inform me particularly how far Dr. Wharton meets this description, in what, if any thing, he fails. You will, of course, see the propriety of mentioning nothing about this inquiry.

In the present eventful crisis of our affairs, a mutual communication of informations and opinions among influential men of the federal party, may be attended with some advantage to their cause. Under this impression I shall give you a summary of the state of things north of the Delaware; south of it, your information is likely to be as good as mine; and, accordingly, I shall request your view of what is to be expected from that quarter. In New Hampshire

there is no doubt of federal electors; but there is a decided partiality for Mr. Adams. I took pains to possess Governor Gilman, whose influence is very preponderating, of the errors and defects of Mr. Adams, and of the danger that no candidate can prevail, by mere federal strength; consequently of the expediency and necessity of unanimously voting for General Pinckney (who, in the South, may get some anti-federal votes) as the best chance of excluding Mr. Jefferson. The Governor appeared convinced of the soundness of these views, and cautiously gave me to expect his co-operation. Yet I do not count upon New Hampshire for more than two things: one, a unanimous vote for Mr. Adams; the other, no vote for any Anti-federalist. In Massachusetts, almost all the leaders of the first class are dissatisfied with Mr. Adams; and enter heartily into the policy of supporting General Pinckney. But most of the leaders of the second class are attached to Mr. Adams, and fearful of jeopardizing his election by promoting that of General Pinckney; and the mass of the people are well affected to him and to his administration. Yet I have strong hopes that, by the exertions of the principal Federalists, Massachusetts will unanimously vote for Adams and Pinckney. Rhode Island is in a state somewhat uncertain. Schisms have grown up from personal rivalships, which have been improved by the Anti-federalists, to strengthen their interests. Governor Fenner expresses a hope that there will be two anti-federal electors; but our friends reject this idea as wholly improbable. But I am not quite convinced that they know the ground.

In every event, however, I expect that Mr. Adams will have there an unanimous vote.

I think nothing can be relied upon as to General Pinckney. Connecticut will, I doubt not, unanimously vote for General Pinckney, but, being very much displeased with Mr. Adams, it will require the explicit advice of certain gentlemen to induce them to vote for him. No Anti-federalist has any chance there. About Vermont I am not as yet accurately informed, but I believe *Adams* and *Pinckney* will both have all the votes. In New York, all the votes will certainly be for Jefferson and Burr. New Jersey does not stand as well as she used to do. The Antis hope for the votes of this State, but I think they will be disappointed. If the electors are federal, Pinckney will certainly be voted for, and Adams will be, or not, as leading friends shall advise. Adding to this view of the Northern what I have understood of the Southern quarter, our prospects are not brilliant. There seems to be too much probability that Jefferson or Burr will be President. The latter is intriguing with all his might in New Jersey, Rhode Island, and Vermont, and there is a possibility of some success in his intrigues. He counts positively on the universal support of the Anti-federalists, and that, by some adventitious aid from other quarters, he will overtop his friend Jefferson. Admitting the first point, the conclusion may be realized; and if it is so, Burr will certainly attempt to reform the government *à la Bonaparte*. He is as unprincipled and dangerous a man as any country can boast—as true a Catiline as ever met in midnight conclave.

TO JAMES McHENRY

NEW YORK, Aug. 27, 1800.

Indeed, my dear Mac., I have not enough the gift of second sight to foresee what New England will do.

The mass of the people there are attached to Adams and the leaders of the second class pretty generally. The leaders of the first class pretty generally promote the joint support of *Adams* and Pinckney, either because they dislike Adams, or hate or fear Jefferson.

Upon the whole, I believe, though not with perfect assurance, that Pinckney will have almost all the votes of New England. Adams will have all.

The State of New Jersey is more uncertain than I could wish. Parties will be too nicely balanced there. But our friends continue confident of a favorable result. If the electors in this State are federal, they will certainly vote for Pinckney, and I rather think will do, with respect to Mr. Adams, what may be thought right.

In New York, there is no chance for any *federal candidate*.

I think, at all events, Maryland had better choose by the Legislature. If we have a majority of federal votes throughout, we can certainly exclude Jefferson, and, if we please, bring the question between Adams and Pinckney to the House of Representatives.

We fight Adams on very unequal grounds, because we do not declare the motives of our dislike. The exposition of these is very important—but how? I would make it and put my name to it, but I cannot

do it without its being conclusively inferred that as to very material facts I must have derived my information from members of the administration. Yet, without this, we have the air of mere *caballers*, and shall be completely run down in the public opinion.

I have written a letter, of which I shall send a copy to you, another to Wolcott. If I am not forbidden, Colonel Ogden, to whom it will be addressed, will commit it to the newspapers.

P. S.—I have concluded to send the enclosed to you instead of Major Jackson.[1]

TO OLIVER WOLCOTT

NEW YORK, Sept. 26, 1800.

DEAR SIR:

As I hinted to you some time since, I have drafted a letter which it is my wish to send to influential individuals in the New England States. I hope from it two advantages—the promoting of Mr. Pinckney's election and the vindication of ourselves.

You may depend upon it, a very serious impression has been made on the public mind, by the partisans of Mr. Adams, to our disadvantage; that the facts hitherto known have very partially impaired the confidence of the body of the Federalists in Mr. Adams, who, for want of information, are disposed to regard his opponents as factious men. If this cannot be counteracted, our characters are the sacrifice.

[1] Now first printed from the Hamilton papers in the State Department.

To do it, facts must be stated with some authentic stamp. Decorum may not permit going into the newspapers, but the letter may be addressed to so many respectable men of influence as may give its contents general circulation.

What say you to the measure? Anonymous publications can now effect nothing.

Some of the most delicate of the facts stated I hold from the three ministers, yourself particularly, and I do not think myself at liberty to take the step without your consent. I never mean to bring proof, but to stand upon the credit of my own veracity.

Say quickly what is to be done, for there is no time to spare. Give me your opinion not only of the measure, but of the *fashion* and *spirit* of the letter in regard to utility and propriety. If there are exceptionable ideas or phrases, note them.

As it is a first draught, there is much I should myself mend. But I have not now leisure for it previous to your inspection.[1]

TO JOHN ADAMS

NEW YORK, Oct. 1, 1800.

SIR:

The time which has elapsed since my letter of the 1st Aug. was delivered to you precludes the further expectation of an answer.

From this silence I will draw no inference, nor will I presume to judge of the fitness of silence on such an

[1] Reprinted from the *Administrations of Washington and Adams*, ii., 421.

occasion on the part of the chief magistrate of a republic towards a citizen who, without a stain, has discharged so many important public trusts.

But this much I will affirm, that by whomsoever a charge of the kind mentioned in my former letter may at any time have been made or insinuated against me, it is a base, wicked, and cruel calumny, destitute even of a plausible pretext to excuse the folly or the depravity which must have dictated it.

TO TIMOTHY PICKERING

NEW YORK, Nov. 13, 1800.

DEAR SIR:

You no doubt have seen my pamphlet respecting the conduct and character of President Adams. The press teems with replies, and I may finally think it expedient to publish a second time. In this case I shall reinforce my charges by new anecdotes. My friends will, no doubt, be disposed to aid me. You probably possess some which are unknown to me. Pray let me have them without delay.

You will observe that a prejudice is attempted to be excited against you as wishing to bring about an alliance with Great Britain. Explain to me fully this affair. I remember that you once consulted me about the expediency of the measure, and that I in reply gave you my opinion. I think it was that the thing was in any event problematical—that it was not advisable to go into at the time—that the most prudent course would be for Great Britain to have a power competent to the purpose vested in her

Minister in this country, and to take the matter *ad referendum* to be governed by future circumstances.

I have not a copy of my letter. You will oblige me by letting me have it.

TO OLIVER WOLCOTT

NEW YORK, Dec. 16, 1800.

It is now, my dear sir, ascertained that Jefferson or Burr will be President, and it seems probable that they will come with equal votes to the House of Representatives. It is also circulated here that, in this event, the Federalists in Congress, or some of them, talk of preferring Burr. I trust New England, at least, will not so far lose its head as to fall into this snare. There is no doubt but that, upon every virtuous and prudent calculation, Jefferson is to be preferred. He is by far not so dangerous a man; and he has pretensions to character.

As to *Burr*, there is nothing in his favor. His private character is not defended by his most partial friends. He is bankrupt beyond redemption, except by the plunder of his country. His public principles have no other spring or aim than his own aggrandizement, *per fas et nefas*. If he can, he will certainly disturb our institutions, to secure to himself *permanent power*, and with it *wealth*. He is truly the Catiline of America; and, if I may credit Major Wilcocks, he has held very vindictive language respecting his opponents.

But early measures must be taken to fix on this point the opinions of the Federalists. Among them,

from different motives, Burr will find partisans. If the thing be neglected, he may possibly go far.

Yet it may be well enough to throw out a lure for him, in order to tempt him to start for the plate, and then lay the foundation of dissension between the two chiefs.

You may communicate this letter to *Marshall*[1] and *Sedgwick*. Let me hear speedily from you in reply.

TO OLIVER WOLCOTT

December 17, 1800.

Your last letter, my dear sir, has given me great pain, not only because it informed me that the opinion in favor of Mr. Burr was increasing among the Federalists, but because it also told me that Mr. Sedgwick was one of its partisans. I have a letter from this gentleman, in which he expresses decidedly his preference of Mr. Jefferson. I hope you have been mistaken, and that it is not possible for him to have been guilty of so great duplicity.[2]

There is no circumstance which has occurred in the course of our political affairs that has given me so much pain as the idea that Mr. Burr might be elevated to the Presidency by the means of the Federalists. I am of opinion that this party has hitherto solid claims of merit with the public, and so long as it does nothing to forfeit its title to confidence, I

[1] John Marshall, at this time Secretary of State, and afterwards Chief-Justice.

[2] Hamilton was right, and Wolcott mistaken; Sedgwick preferred Jefferson.

shall continue to hope that our misfortunes are temporary, and that the party will erelong emerge from its depression. But if it shall act a foolish or unworthy part in any capital instance, I shall then despair.

Such, without doubt, will be the part it will act, if it shall seriously attempt to support Mr. Burr, in opposition to Mr. Jefferson. If it fails, as, after all, is not improbable, it will have riveted the animosity of that person; will have destroyed or weakened the motives to moderation which he must at present feel, and it will expose them to the disgrace of a defeat, in an attempt to elevate to the first place of the government one of the worst men in the community.

If it succeeds, it will have done nothing more nor less than place in that station a man who will possess the boldness and daring necessary to give success to the Jacobin system, instead of one who, for want of that quality, will be less fitted to promote it.

Let it not be imagined that Mr. Burr can be won to the federal views. It is a vain hope. Stronger ties and stronger inducements than they can offer will impel him in a different direction. His ambition will not be content with those objects which virtuous men of either party will allot to it, and his situation and his habits will oblige him to have recourse to corrupt expedients, from which he will be restrained by no moral scruple. To accomplish his ends, he must lean upon unprincipled men, and will continue to adhere to the myrmidons who have hitherto seconded him. To these he will, no doubt, add able rogues of the federal party, but he will employ the

rogues of all parties to overrule the good men of all parties, and to prosecute projects which wise men of every description will disapprove.

These things are to be inferred, with moral certainty, from the character of the man. Every step in his career proves that he has formed himself upon the model of *Catiline*, and he is too cold-blooded and too determined a conspirator ever to change his plan.

What would you think of these toasts and this conversation at his table within the last three or four weeks?

1st. The French republic.

2d. The commissioners on both sides who negotiated the convention.

3d. Bonaparte.

4th. Lafayette.

What would you think of his having seconded the positions, that it was the interest of this country to allow the belligerent powers to bring in and sell their prizes, and build and equip ships in our ports? Do you not see in this the scheme of war with Great Britain, as the instrument of power and wealth? Can it be doubted that a man who has all his life speculated upon the popular prejudices, will consult them in the object of a war when he thinks it is expedient to make one? Can a man who, despising democracy, has chimed in with all its absurdities, be diverted from the plan of ambition which must have directed his course? They who suppose it must understand little of human nature.

If Jefferson is President, the whole responsibility of bad measures will rest with the Anti-federalists.

If Burr is made so by the Federalists, the whole responsibility will rest with them. The other party will say to the people: We intended him only for Vice-President; here he might have done very well, or been at least harmless. But the Federalists, to disappoint us, and a majority of you, took advantage of a momentary superiority to put him in the first place. He is therefore their President, and they must answer for all the evils of his bad conduct. And the people will believe them.

Will any reasonable calculation on the part of the Federalists uphold the policy of assuming so great a responsibility in the support of so unpromising a character? The negative is so manifest that, had I not been assured of the contrary, I should have thought it impossible that assent to it would have been attended with a moment's hesitation.

Alas! when will men consult their reason rather than their passions? Whatever they may imagine, the desire of mortifying the adverse party must be the chief spring of the disposition to prefer Mr. Burr. This disposition reminds me of the conduct of the Dutch moneyed men, who, from their hatred of the old aristocracy, favored the admission of the French into Holland, to overturn every thing.

Adieu to the Federal Troy, if they once introduce this Grecian horse into their citadel.

Trust me, my dear friend, you cannot render a greater service to your country than to resist this project. Far better will it be to endeavor to obtain from Jefferson assurances on some cardinal points:

1st. The preservation of the actual fiscal system.

2d. Adherence to the neutral plan.

3d. The preservation and gradual increase of the navy.

4th. The continuance of our friends in the offices they fill, except in the great departments, in which he ought to be left free.

TO THEODORE SEDGWICK

NEW YORK, Dec. 22, 1800.

I entirely agree with you, my dear sir, that, in the event of Jefferson and Burr coming to the House of Representatives, the former is to be preferred. The appointment of Burr as President would disgrace our country abroad. No agreement with him could be relied upon. His private circumstances render disorder a necessary resource. His public principles offer no obstacle. His ambition aims at nothing short of permanent power and wealth in his own person. For heaven's sake, let not the federal party be responsible for the elevation of this man!

The convention with France is just such an issue as was to have been expected. It plays into the hands of France, by the precedent of those principles of navigation which she is at this moment desirous of making the basis of a league of the northern powers against England. This feature will be peculiarly disagreeable to the latter, and, as it relates to the general politics of the world, is a make-weight in the wrong scale.

The stipulation about privateers and prizes is of

questionable propriety. If third powers are entitled to the benefit of annulling our treaties with France, it is a plain violation of our compact with Great Britain.

But I rather think it the better opinion that, pending the differences which produced that measure, it is a matter purely between France and ourselves, by which no third power has a right to profit, and that even the *status quo* would not have been a violation of our engagements with Great Britain.

Thus situated, I am of opinion the treaty must be ratified. The contrary condition would, I think, utterly ruin the federal party and endanger our internal tranquillity. Moreover, it is better to close the thing where it is, than to leave it to a Jacobin to do much worse.

This is a deliberately formed sentiment, and I hope will accord with the conclusions of our friends. At the same time, I wish it to be declared by our friends in the Senate, that they think the treaty liable to strong objections and pregnant with dangers to the interests of this country, but having been negotiated, they will not withhold their assent.

Reasons should be given.

TO GOUVERNEUR MORRIS [1]

NEW YORK, Dec. 24, 1800.

DEAR SIR:

I will run the risk with you of giving countenance to a charge lately brought against me, though it has

[1] At this time Senator from New York.

certainly had a very false direction. I mean that of being fond of giving advice.

Several friends at Washington inform me that there is likely to be much hesitation in the Senate about ratifying the convention with France. I do not wonder at it, and yet I should be sorry that it should mature itself into a disagreement to the instrument. Having received its present form, I think it should be ratified.

In my opinion, there is nothing in it contrary to our treaty with Great Britain. The annulling of our former treaties with France was an act of reprisal in consequence of hostile differences, of which no other power had a right to benefit, and which, upon an accommodation, might have been rescinded, even to the restoration of the *status quo*. Great Britain is now, in this respect, in a better situation than she was when she made the treaty. She has, so far, no good cause to complain.

There are, indeed, features which will not be pleasant to the British cabinet, particularly the principle that free ships shall make free goods, and that the flag of ships-of-war shall protect. As these are points upon which France was endeavoring to form hostile combinations against Great Britain, the giving place to them in the convention will have an unfriendly countenance towards her and us, and is to be regretted in the present moment. Yet we had a right to make these stipulations, and as they may be fairly *supposed* to be advantageous to us, they are not in fact indications of enmity. They give no real cause of umbrage, and, considering the general

interests of Great Britain and her particular situation, it does not seem probable that they will produce on her part a hostile conduct.

As to the indemnification for spoliations, that was rather to be wished than expected, while France is laying the world under contribution. The people of this country will not endure that a definitive rupture with France shall be hazarded on this ground.

If this convention is not closed, the leaving of the whole subject open will render it easier for the Jacobin administration to make a worse thing.

On the whole, the least evil is to ratify. The contrary would finish the ruin of the federal party, and endanger our internal tranquillity. It is better to risk the dangers on the other hand, than on this side.

Another subject. *Jefferson or Burr?* the former without all doubt. The latter, in my judgment, has no principle, public or private; could be bound by no agreement; will listen to no monitor but his ambition, and for this purpose will use the worst part of the community as a ladder to climb to permanent power, and an instrument to crush the better part. He is bankrupt beyond redemption, except by the resources that grow out of war and disorder, or by a sale to a foreign power, or by great peculation. War with Great Britain would be the immediate instrument. He is sanguine enough to hope every thing, daring enough to attempt every thing, wicked enough to scruple nothing. From the elevation of such a man may heaven preserve the country!

Let our situation be improved to obtain from Jefferson assurances on certain points: the maintenance

of the present system, especially on the cardinal articles of public credit—a navy, neutrality. Make any discreet use you may think fit of this letter.

TO GOUVERNEUR MORRIS

NEW YORK, Dec. 26, 1800.

DEAR SIR:

The post of yesterday gave me the pleasure of a letter from you. I thank you for the communication. I trust that a letter which I wrote you the day before the receipt of yours will have duly reached you, as it contains some very free and confidential observations ending in two results.

1st. That the convention with France ought to be ratified as the least of two evils.

2d. That *on the same ground Jefferson* ought to be preferred to *Burr*.

I trust the Federalists will not finally be so mad as to vote for the *latter*. I speak with an intimate and accurate knowledge of character. His elevation can only promote the purposes of the desperate and profligate.

If there be a man in the world I ought to hate, it is Jefferson. With Burr I have always been personally well. But the public good must be paramount to every private consideration.

My opinion may be freely used with such reserves as you shall think discreet.

TO JAMES A. BAYARD

NEW YORK, Dec. 27, 1800.

DEAR SIR:

Several letters to myself and others from the city of Washington, excite in my mind extreme alarm on the subject of the future President. It seems nearly ascertained that Jefferson and Burr will come into the House of Representatives with equal votes, and those letters express the probability that the federal party may prefer the latter. In my opinion, a circumstance more ruinous to them, or more disastrous to the country, could not happen.

This opinion is dictated by a long and close attention to the character of B., with the best opportunities of knowing it—an advantage of judging which, few of our friends possess, and which ought to give some weight to my opinion.

Be assured, my dear sir, that this man has no principle, public nor private. As a politician, his sole spring of action is an inordinate ambition; as an individual, he is believed by friends as well as foes to be without *probity;* and a voluptuary by system—with habits of expense that can be satisfied by no fair expedients. As to his talents, great management and cunning are the predominant features; he is yet to give proofs of those solid abilities which characterize the statesman. Daring and energy must be allowed him; but these qualities, under the direction of the worst passions, are certainly strong objections, not recommendations. He is of a temper to undertake the most hazardous enterprises, because he is sanguine enough to think nothing im-

practicable; and of an ambition that will be content with nothing less than *permanent* power in his own hands. The maintenance of the existing institutions will not suit him; because under them his power will be too narrow and too precarious. Yet the innovations he may attempt will not offer the substitute of a system *durable* and *safe*, calculated to give lasting prosperity, and to unite liberty with strength. It will be the system of the day, sufficient to serve his own turn, and not looking beyond himself. To execute this plan, as the good men of the country cannot be relied upon, the worst will be used. Let it not be imagined that the difficulties of execution will deter, or a calculation of interest restrain. The truth is, that under forms of government like ours, too much is practicable to men who will, without scruple, avail themselves of the bad passions of human nature. To a man of this description, possessing the requisite talents, the acquisition of permanent power is not a chimera. I *know* that Mr. Burr does not view it as such, and I am sure there are no means too atrocious to be employed by him. In debt, vastly beyond his means of payment, with all the habits of excessive expense, he cannot be satisfied with the regular emoluments of any office of our government. Corrupt expedients will be to him a *necessary* resource. Will any prudent man offer such a President to the temptations of foreign gold? No engagement that can be made with him can be depended upon; while making it, he will laugh in his sleeve at the credulity of those with whom he makes it;—and the first moment it suits his views to

break it, he will do so.[1] Let me add, that I could scarcely name a discreet man of either party in our State, who does not think Mr. Burr the most unfit man in the United States for the office of President. Disgrace abroad, ruin at home, are the probable fruits of his elevation. To contribute to the disappointment and mortification of Mr. J., would be, on my part, only to retaliate for unequivocal proofs of enmity; but in a case like this, it would be base to listen to personal considerations. In alluding to the situation, I mean only to illustrate how strong must be the motives which induced me to promote *his* elevation in exclusion of another.

For heaven's sake, my dear sir, exert yourself to the utmost to save our country from so great a calamity. Let us not be responsible for the evils, which in all probability will follow the preference. All calculations that may lead to it must prove fallacious.

TO JOHN RUTLEDGE

December, 1800.

As long as the federal party pursue their high ground of integrity and principle, I shall not despair

[1] A recent incident will give you an idea of his views as to foreign politics. I dined with him lately. His toasts were: "The French Republic," "The Commissioners who Negotiated the Convention," "Buonaparte," "The Marquis La Fayette." His doctrines, that it would be the interest of this country to permit the indiscriminate sale of prizes by the belligerent powers; and the building and equipment of vessels —a project amounting to nothing more nor less (with the semblance of equality) than to turn all our naval resources into the channel of France, and compel Great Britain to war. Indeed, Mr. Burr must have war, as the instrument of his ambition and cupidity. The peculiarity of the occasion will excuse my mentioning in confidence the occurrences of a private table.

of the public weal; but if they quit it and descend to be willing instruments of the elevation of the most unfit and most dangerous man of the community to the highest station in the government, I shall no longer see any anchor for the hopes of good men. I shall at once anticipate all the evils that a daring and unprincipled ambition, wielding the lever of Jacobinism, can bring upon an infatuated country. 'T is not to the chapter of accidents that we ought to trust the government, peace, and happiness of our country. 'T is enough for us to know that Mr. Burr is one of the most unprincipled men in the United States, to determine us to decline being responsible for the precarious issues of his calculations of interest. You cannot, in my opinion, render a greater service to your country than by exerting your influence to counteract the impolitic and impure idea of raising Mr. Burr to the chief magistracy.[1]

TO JAMES ROSS [2]

1801.

Letters which myself and others have received from Washington give me much alarm at the prospect that Mr. Burr may be supported by the Federalists in preference to Mr. Jefferson. Be assured, my dear sir, that this would be a fatal mistake. From

[1] Reprinted from the *History of the Republic*, vii., 445. General John Rutledge, of South Carolina, to whom this letter is addressed, was the son of the revolutionary patriot and statesman of the same name. He was at this time Member of Congress from South Carolina.

[2] James Ross, Senator from Pennsylvania, was one of the leaders of the Federalists and a lawyer of distinguished ability.

a thorough knowledge of the characters, I can pronounce with confidence that Mr. Burr is the last man in the United States to be supported by the Federalists.

First. It is an opinion firmly entertained by his enemies and not disputed by his friends, that, as a man, he is deficient in honesty. Some very sad stories are related of him. That he is bankrupt for a large deficit, is certain. Second. As a politician, discerning men of both parties admit that he has but one principle—to get power by any means, and to keep it by all means. Third. Of an ambition too irregular and inordinate to be content with institutions that leave his power precarious, he is of too bold and sanguine a temper to think any thing too hazardous to be attempted, or too difficult to be accomplished. Fourth. As to talents, they are great for management and intrigue—but he is yet to give the first proofs that they are equal to the act of governing well. Fifth. As to his theory, no man can tell what it is. Institutions that would serve his own purposes (such as the government of France of the present day), not such as would promise lasting prosperity and glory to the country, would be his preference, because he cares only for himself, and nothing for his country or glory. Sixth. Certain that his irregular ambition cannot be supported by good men, he will court and employ the worst men of all parties as the most eligible instruments. Jacobinism in its most pernicious form will scourge the country. Seventh. As to foreign politics, war will be a necessary means of power and wealth. The animosity to

the British will be the handle by which he will attempt to wield the nation to that point. Within a fortnight he has advocated positions, which, if acted upon, would in six months place us in a state of war with that power. From the elevation of such a man may heaven preserve the country. Should it be by the means of the Federalists, I should at once despair. I should see no longer any thing upon which to rest the hope of public or private prosperity.

No. Let the Federalists vote for Jefferson.

But, as they have much in their power, let them improve the situation to obtain assurances from him:

1. The preservation of the actual system of finance and public credit.

2. The support and gradual increase of the navy.

3. A *bona fide* neutrality towards belligerent powers.

4. The preservation in office of our friends, except in the great departments, in respect to which and to future appointments he ought to be at liberty to promote his friends.[1]

TO GOUVERNEUR MORRIS

NEW YORK, Jan. 9, 1801.

I have lately, my dear sir, written you two letters. As they contained some delicate topics, I shall be glad to know that they got to hand.

It has occurred to me that perhaps the Federalists may be disposed to play the game of preventing an election, and leaving the executive power in the

[1] Reprinted from the *History of the Republic*, vii., 445.

hands of a future President of the Senate. This, if it could succeed, would be, for obvious reasons, a most dangerous and unbecoming policy. But it is well it should be understood that it cannot succeed. The Anti-federalists, as a body, prefer Jefferson, but among them are many who will be better suited by the *dashing, projecting* spirit of *Burr*, and who, after doing what they will suppose to be *saving appearances*, they will go over to Mr. Burr. *Edward Livingston* has declared among his friends that his first ballot will be for Jefferson; his second for Burr.

The present is a crisis which demands the exertions of men who have an interest in public order.

TO GOUVERNEUR MORRIS

NEW YORK, Jan. 10, 1801.

I thank you, my dear sir, for your letter of the 5th instant. The scruples you express about the ratification of the convention are very respectable. No well-informed man can doubt that it is an exceptionable instrument, but I continue of the opinion that it is best, upon the whole, to ratify it unconditionally.

It does not appear to me that, on fair construction, *the existence* of the old treaties is recognized, though a right of mutual indemnities as to the past is admitted. But inasmuch as it is declared that they shall hereafter have no effect until a future agreement, this appears to me to amount to the *consent* of France that they shall become inoperative and null, unless they shall be revived by the *consent* of

the United States. So far I think that some thing is gained. For the right of one party to annul a treaty is a litigious right, never consummated till the other party waives its opposition. This is now in substance done by France. And, in my opinion, to have advanced so far is a matter of considerable importance.

The indemnification for spoliation is, I admit, virtually relinquished as the price of the waiver of the treaties; but considering our situation, and the immense and growing power of France, that price is not too great.

Further, there are such potent obstacles in the nature of things to the obtaining of effectual indemnification, that it is very well to leave it to the chapter of accidents.

The restoration of ships-of-war is an unpleasant, and, I do not deny, rather a humiliating thing.

But as it is in *form* reciprocal, it does not seem to me that unequivocal species of dishonor which ought to induce us to run great risks. Our conduct heretofore has gone on the ground that, though we ought not to submit to *unequivocal disgrace*, yet we ought not to be too susceptible or overcurious and nice. In this spirit we have borne a great deal, sometimes too much, from all the *belligerents*. Circumstances do not now invite to a different course. Our rapid progress to *strength* will, erelong, encourage to and warrant higher pretensions.

You seem to have gotten over the difficulty of the supposed collision between the convention and our treaty with Britain. You already know that this

accords with my opinion. Yet it seems to me the most thorny point, as it draws into question our faith towards a third power.

This gotten over, there is not, in my apprehension, any remaining obstacle to a full ratification which may not be overcome.

The limitation of the treaty as to time is doubtless desirable, but we may be sure it will not be eternal in fact. Perpetual peace will not exist. A war cuts the knot, and leaves us free to renew or not, to renew absolutely, or with qualifications.

With this view of the subject, I do not consider the objections to a simple ratification to be strong enough to countervail the dangers of a qualified one, which certainly will leave it in the option of the other party to recede.

It is possible that, in the pride of success, our backwardness to ratify may be the pretext of a rupture to punish the presumption. Under existing circumstances, such an event would be disastrous, if not for the evils which the arms of France might inflict, yet for the hazard of internal schisms and discord. The mania for France has in a great degree revived in our country, and the party which should invite a rupture would be likely to be ruined.

Perhaps, with the administration we are going to have, there may be less danger of rupture than with one of a different cast; yet not much reliance can be placed on this circumstance, and there is another side to the question which deserves attention.

If the present convention be ratified, our relations to France will have received a precise shape. To

take up the subject anew and mould it into a shape better according with Jacobin projects will not be as easy as finding the whole business open to give it that shape. I think it politic, therefore, to close as far as we can.

Again, it will be of consequence to the federal cause in future to be able to say the federal administration steered the vessel through all the storms raised by the contentions of Europe into a peaceful and safe port. This cannot be said if the contest with France continues open.

Inclosed you have some recent intelligence which seems to strengthen the argument for a simple ratification. Great Britain stands on a precipice. The misfortune for her is that there are manifest symptoms of a depreciated and depreciating paper currency. This may cut deep.

The result is that good understanding with the United States is more than ever necessary to Great Britain. She will not lightly take umbrage while France is in a position to ride a high horse. These facts cannot prudently be excluded from the calculation.

So our eastern friends want to join the armed neutrality and make war upon Britain. I infer this from their mad propensity to make *Burr* President. If Jefferson has prejudices leading to that result, he has defects of character to keep him back. Burr, with the same propensities, will find the thing necessary to his projects, and will *dare* to hazard all consequences. They may as well think to bind a giant by a cobweb as his ambition by promises.

TO JAMES A. BAYARD

NEW YORK, Jan. 16, 1801.

I was glad to find, my dear sir, by your letter that you had not yet determined to go with the current of the federal party in the support of Mr. Burr, and that you were resolved to hold yourself disengaged till the moment of final decision. Your resolution to separate yourself in this instance from the federal party, if your conviction shall be strong of the unfitness of Mr. Burr, is certainly laudable. So much does it coincide with my ideas, that if the party shall, by supporting Mr. Burr as President, adopt him for their official chief, I shall be obliged to consider myself as an *isolated* man. It will be impossible for me to reconcile with my notions of *honor* or policy the continuing to be of a party which, according to my apprehension, will have degraded itself and the country.

I am sure, nevertheless, that the motives of many will be good, and I shall never cease to esteem the individuals, though I shall deplore a step which, I fear, experience will show to be a very fatal one. Among the letters which I receive assigning the reasons *pro* and *con* for preferring Burr to J., I observe no small exaggeration to the prejudice of the latter, and some things taken for granted as to the former, which are at least questionable. Perhaps myself the first, at some expense of popularity, to unfold the true character of Jefferson, it is too late for me to become his apologist; nor can I have any disposition to do it.

I admit that his politics are tinctured with fanatic-

ism; that he is too much in earnest in his democracy; that he has been a mischievous enemy to the principal measures of our past administration; that he is crafty and persevering in his objects; that he is not scrupulous about the means of success, nor very mindful of truth, and that he is a contemptible hypocrite. But it is not true, as is alleged, that he is an enemy to the power of the Executive, or that he is for confounding all the powers in the House of Representatives. It is a fact which I have frequently mentioned, that, while we were in the administration together, he was generally for a large construction of the Executive authority and not backward to act upon it in cases which coincided with his views. Let it be added that in his theoretic ideas he has considered as improper the participations of the Senate in the Executive authority. I have more than once made the reflection that, viewing himself as the reversioner, he was solicitous to come into the possession of a good estate. Nor is it true that Jefferson is zealot enough to do any thing in pursuance of his principles which will contravene his popularity or his interest. He is as likely as any man I know to temporize—to calculate what will be likely to promote his own reputation and advantage; and the probable result of such a temper is the preservation of systems, though originally opposed, which, being once established, could not be overturned without danger to the person who did it. To my mind a true estimate of Mr. Jefferson's character warrants the expectation of a temporizing rather than a violent system. That Jefferson has manifested a

culpable predilection for France is certainly true; but I think it a question whether it did not proceed quite as much from her *popularity* among us as from sentiment, and, in proportion as that popularity is diminished, his zeal will cool. Add to this that there is no fair reason to suppose him capable of being corrupted, which is a security that he will not go beyond certain limits. It is not at all improbable that under the change of circumstances Jefferson's Gallicism has considerably abated.

As to Burr these things are admitted, and indeed cannot be denied, that he is a man of *extreme* and *irregular* ambition; that he is *selfish* to a degree which excludes all social affections, and that he is decidedly *profligate*. But it is said (1) that he is *artful* and *dexterous* to accomplish his ends; (2) that he holds no pernicious theories, but is a mere *matter-of-fact* man; (3) that his very selfishness [1] is a guard against mischievous foreign predilections; (4) that his *local situation* has enabled him to appreciate the utility of our commercial and fiscal systems, and the same quality of selfishness will lead him to support and invigorate them; (5) that he is now disliked by the Jacobins; that his elevation will be a mortal stab to them, breed an invincible hatred to him, and compel him to lead on the Federalists; (6) that Burr's ambition will be checked by his good sense, by the manifest impossibility of succeeding in any scheme of usurpation, and that, if attempted, there is nothing to fear from the attempt. These topics are, in my judgment, more plausible than solid. As

[1] It is always very dangerous to look at the *vices* of men for *good*.

to the first point, the fact must be admitted, but those qualities are objections rather than recommendations, when they are under the direction of bad principles. As to the second point, too much is taken for granted. If Burr's conversation is to be credited, he is not very far from being a visionary. He has quoted to me *Connecticut* as an example of the success of the democratic theory, and as authority, I have serious doubts whether it was not a good one. It is ascertained in some instances that he has talked perfect *Godwinism*. I have myself heard him speak with applause of the French system, as unshackling the mind and leaving it to its natural energies, and I have been present when he has contended against banking systems [1] with earnestness and with the same arguments that Jefferson would use.

The truth is, that Burr is a man of a very subtle imagination, and a mind of this make is rarely free from ingenious whimsies. Yet I admit that he has no fixed theory, and that his peculiar notions will easily give way to his interest. But is it a recommendation to have *no theory?* Can that man be a systematic or able statesman who has none? I believe not. *No general principles* will hardly work much better than erroneous ones.

As to the third point, it is certain that Burr, generally speaking, has been as warm a partisan of France as Jefferson; that he has, in some instances,

[1] Yet he has lately, by a trick, established a *bank*—a perfect monster in its principles, but a very convenient instrument of *profit* and *influence*.

shown himself to be so with passion. But if it was from calculation, who will say that his calculations will not continue him so? His selfishness,[1] so far from being an obstacle, may be a prompter. If corrupt as well as selfish, he may be a partisan for gain. If ambitious as well as selfish, he may be a partisan for the sake of aid to his views. No man has trafficked more than he in the floating passions of the multitude. Hatred to Great Britain and attachment to France, in the public mind, will naturally lead a man of his selfishness, attached to place and power, to favor France and oppose Great Britain. The Gallicism of many of our patriots is to be thus resolved, and, in my opinion, it is morally certain that Burr will continue to be influenced by this calculation.

As to the fourth point, the instance I have cited with respect to banks, proves that the argument is not to be relied on. If there was much in it, why does Chancellor Livingston maintain that we ought not to cultivate navigation, but ought to let foreigners be our carriers? France is of the opinion too, and Burr, for some reason or other, will be very apt to be of the opinion of France.

As to the fifth point, nothing can be more fallacious. It is demonstrated by recent facts[2] that Burr is *solicitous* to *keep* upon *anti-federal* ground, to avoid compromitting himself by any engagements,[3] with the Federalists. With or without such engage-

[1] Unprincipled selfishness is more apt to seek rapid gain in disorderly practices than slow advantages from orderly systems.

[2] My letter to Mr. Morris states some of them.

[3] He trusts to their *prejudices* and *hopes* for support.

ments, he will easily persuade his former friends that he does stand on that ground, and after their first resentment they will be glad to rally under him. In the meantime he will take care not to disoblige them, and he will always court those among them who are best fitted for tools. He will never choose to lean on good men, because he knows that they will never support his bad projects; but instead of this he will endeavor to disorganize both parties, and to form out of them a third, composed of men fitted by their characters to be conspirators and instruments of such projects.

That this will be his future conduct may be inferred from his past plan, and from the admitted quality of irregular ambition. Let it be remembered that Mr. Burr has never appeared solicitous for fame, and that great ambition, unchecked by principle or the love of glory, is an unruly tyrant, which never can keep long in a course which good men will approve. As to the last point, the proposition is against the experience of all times. Ambition without principle never was long under the guidance of good sense. Besides that, really, the force of Mr. Burr's understanding is much overrated. He is far more *cunning* than *wise*, far more *dextrous* than *able*.

(*Very, very confidential.*—In my opinion he is inferior in real ability to Jefferson. There are also facts against the supposition. It is past all doubt that he has blamed me for not having improved the situation I once was in to change the government. That when answered that this could not have been done without guilt, he replied, "Les grandes âmes

se soucient peu des petits moraux"; that when told the thing was never practicable from the genius and situation of the country, he answered, "That depends on the estimate we form of the human passions, and of the means of influencing them." Does this prove that Mr. Burr would consider a scheme of usurpation as visionary?)

The truth is, with great apparent coldness he is the most sanguine man in the world. He thinks every thing possible to adventure and perseverance, and, though I believe he will fail, I think it almost certain he will attempt usurpation, and the attempt will involve great mischief. But there is one point of view which seems to me decisive. If the Anti-federalists who prevailed in the election are left to take their own man, they remain responsible, and the Federalists remain *free*, *united*, and without *stain*, in a situation to resist, with effect, pernicious measures. If the Federalists substitute Burr, they adopt him and become answerable for him. Whatever may be the theory of the case abroad and at *home* (for so from the beginning will be taught), Mr. Burr will become *in fact* the man of our party; and if he acts ill, we must share in the blame and disgrace. By adopting him we do all we can to reconcile the minds of the Federalists to him, and we prepare them for the effectual operation of his arts. He will doubtless gain many of them, and the Federalists will become a disorganized and contemptible party. Can there be any serious question between the policy of leaving the Anti-federalists to be answerable for the elevation of an exceptionable man, and that of adopting

ourselves and becoming answerable for a man who, on all hands, is acknowledged to be a complete Catiline? 'T is enough to state the question to indicate the answer, if reason, not passion, presides in the decision.

You may communicate this, and my former letter, to discreet and confidential friends.

TO GOUVERNEUR MORRIS

NEW YORK, January, 1801.

DEAR SIR:

I hasten to give you some information which may be useful. I know as a fact that overtures have been made by leading individuals of the federal party to Mr. Burr, who declines to give any assurances respecting his future intentions and conduct, saying that to do it might injure him with his friends, and prevent their co-operation; that all ought to be inferred from the necessity of his future situation, as it regarded the disappointment and animosity of the Anti-federalists; that the Federalists, relying upon this, might proceed in the certainty that, upon a *second* ballot, New York and Tennessee would join him. It is likewise ascertained that he perfectly understands himself with Edward Livingston, who will be his *agent* at the seat of government.

Thus you see that Mr. Burr is resolved to preserve himself in a situation to adhere to his former friends, engagements, and projects, and to use the Federalists as *tools* of his aggrandizement.

The hope that by his election he will be separated from the Anti-federalists, is a perfect farce.

He will satisfy them that he has kept himself free to continue his relations with them, and as many of them are secretly attached to him, they will all be speedily induced to rally under his standard, to which he will add the unprincipled of our party, and he will laugh at the rest.

It is a fact that Mr. Burr is now in frequent and close conference with a Frenchman, who is suspected of being an agent of the French Government, and it is not to be doubted that he will be the firm ally of Buonaparte.

You are at liberty to show this letter to such friends as you think fit, especially Mr. Bayard, of Delaware, in whose principles and sound sense I have much confidence.

Depend upon it, men never played a more foolish game than will do the Federalists if they support Burr.

TO THEODORE SEDGWICK

ALBANY, Jan. 21, 1801.

DEAR SIR:

Being in a hurry to leave New York for this place, I compressed, in a letter to *Bayard*, some observations which, had I time, I should have put in a reply to your last. I requested him to communicate it to you, and I beg of you, as you love your country, your friends, and yourself, to reconsider dispassionately the opinion you have expressed in favor of Burr.

I never was so much mistaken as I shall be if our friends, in the event of their success, do not rue the preference they will give to that *Catiline*. Adieu.

TO MRS. HAMILTON

On the Road to Albany, Feb., 1801.

The roads are too bad for you to venture in your carriage, if you can possibly avoid it. Don't forget to visit the Grange. From what I saw there, it is very important the drains should be better regulated. Leave, in particular charge of Philip, what you cannot yourself accomplish.

TO MRS. HAMILTON

February 19, 1801.

I arrived here, my beloved, about five this afternoon. I ought now to be much further advanced. But somehow "Riddle" sprained the ankle of one of his hind legs, which very much retarded my progress to-day. By care and indulgence, he is much better this evening. I have travelled comfortably, and my health is better. Wife, children, and hobby are the only things upon which I have permitted my thoughts to run. As often as I write, you may expect to hear some thing of the latter. Don't lose any opportunity which may offer of ploughing up the new garden spot, and let the wagon make a tour

of the ground lately purchased. When it is too cold to go on with grubbing, our men may be employed in cutting and clearing away the underbrush in the grove and the other woods; only let the centre of the principal wood in the line of the different rocks remain rough and wild.

(*Again he writes*): I am less and less pleased with the prospect of so long a separation from my beloved family, and you may depend shall shorten it as much as possible. "Dumphy" had planted the tulip trees in a row along the outer fence of the garden in the road, and was collecting some hemlock trees to plant between them. I desired him to place these in a row along the inner fence. But, having attended to them in my route, I shall be glad, if white pines are not conveniently to be had, that besides those along the inner fence, there may be one hemlock between every two of the tulip trees along the outer fence.

TO MRS. HAMILTON

POUGHKEEPSIE, Feb. 20, 1801.

I am in much better health than spirits. The Swiss malady grows upon me very fast. In other words, I am more and more homesick. This, added to some other circumstances that do not give me pleasure at the present moment, makes me rather heavy-hearted. But we must make the best of those ills that cannot be avoided. The occupation I shall have at Albany will divert my mind from

painful reflections; and a speedy return to my dear family will bring me a cure. Write me often, and receive every wish that is due to the best of women. Kiss my children for me. Adieu.[1]

TO ———

ALBANY, Feb. 22, 1801.

DEAR SIR:

After my ill success hitherto, I ought, perhaps, in prudence, to say nothing further on the subject. But, situated as things now are, I certainly have no advice to give. Yet I may, without impropriety, communicate a fact; it is this:

Colonel Burr is taking an active *personal part* in favor of Mr. Clinton against Mr. Rensselaer, as governor of this State. I have, *upon my honor*, direct and indubitable evidence, that between two and three weeks past, he wrote a very urgent letter to *Oliver Phelps*, of the western part of this State, to induce his exertions in favor of Clinton. Is not this an unequivocal confirmation of what I predicted that he will, in every event, continue to play the Jacobin game? Can any thing else explain his conduct at such a moment, and under such circumstances? I might add several other things to prove that he is resolved to adhere to and cultivate his old party, who lately, more than ever, have shown the cloven foot of *rank Jacobinism*.

[1] These three letters to Mrs. Hamilton are reprinted from the *History of the Republic*, vii., 488 and *ff*.

TO DR. BENJAMIN RUSH [1]

NEW YORK, Feb. 12, 1802.

DEAR SIR:

I felt all the weight of the obligation which I owed to you and your amiable family for the tender concern they manifested in an event beyond comparison the most afflicting of my life, but I was obliged to wait for a moment of greater calm to express my sense of the kindness.

My loss is indeed great. The brightest as well as the eldest hope of my family has been taken from me. You estimated him rightly. He was a fine youth. But why should I repine? It was the will of heaven, and he is now out of the reach of the seductions and calamities of a world full of folly, full of vice, full of danger—of least value in proportion as it is best known. I firmly trust, also, that he has safely reached the haven of eternal repose and felicity.

You will easily imagine that every memorial of the goodness of his heart must be precious to me. You allude to one recorded in a letter to your son. If no special reasons forbid it, I should be very glad to have a copy of that letter.

Mrs. Hamilton, who has drunk deeply of the cup of sorrow, joins me in affectionate thanks to Mrs. Rush and yourself; our wishes for your happiness will be unceasing.

[1] The distinguished physician and patriot of Philadelphia. The letter refers to the death of Hamilton's eldest son, Philip, who was killed in a duel arising from a political quarrel.

TO GOUVERNEUR MORRIS

NEW YORK, Feb. 27, 1802.

MY DEAR SIR:

Your letter of the 22d is the third favor I am indebted to you since you left New York.

Your frankness in giving me your opinion as to the expediency of an application of our bar to Congress, obliged me. But you know we are not readily persuaded to think we have been wrong. Were the matter to be done over, I should pursue the same course. I did not believe the measure would be useful as a preventive, and for the people an expression of an opinion by letter would be as good as a memorial.

It appeared to be best, because it saved our delicacy, and because in the abstract, I am not over fond of the precedent of the bar addressing Congress. But I did what I thought likely to do more good. I *induced* the Chamber of Commerce to send a memorial. As to the rest, I should be a very unhappy man, if I left my tranquillity at the mercy of the misinterpretations which friends as well as foes are fond of giving to my conduct.

Mine is an odd destiny. Perhaps no man in the United States has sacrificed or done more for the present Constitution than myself; and contrary to all my anticipations of its fate, as you know from the very beginning, I am still laboring to prop the frail and worthless fabric. Yet I have the murmurs of its friends no less than the curses of its foes for my reward. What can I do better than withdraw from the scene? Every day proves to me

more and more, that this American world was not made for me.

The suggestions with which you close your letter suppose a much sounder state of the public mind than at present exists. Attempts to make a show of a general *popular* dislike of the pending measures of the government, would only serve to manifest the direct reverse. Impressions are indeed making, but as yet within a very narrow sphere.

The time may erelong arrive when the minds of men will be prepared to make an effort to *recover* the Constitution, but the many cannot now be brought to make a stand for its preservation. We must wait a while.

I have read your speeches with great pleasure. They are truly worthy of you. Your real friends had many sources of satisfaction on account of them. The conspiracy of dulness was at work. It chose to misinterpret your moderation in certain transactions of a personal reference.

A public energetic display of your talents and principles was requisite to silence the cavillers. It is now done. You, friend Morris, are by *birth* a native of this country, but by *genius* an exotic. You mistake, if you fancy that you are more of a favorite than myself, or that you are in any sort upon a theatre suited to you.

TO GOUVERNEUR MORRIS

NEW YORK, March 4, 1802.

MY DEAR SIR:

You have seen certain resolutions unanimously pass our Legislature for amending the Constitution; 1st, by designating separately the candidates for President and Vice-President; 2d, by having electors chosen by the people in districts under the direction of the national Legislature.

After mature reflection, I was thoroughly confirmed in my full impression, that it is true federal policy to promote the adoption of these amendments.

Of the first, not only because it is in itself right, that the people should know whom they are choosing, and because the present mode gives all possible scope to intrigue, and is dangerous (as we have seen) to the public tranquillity; but because in every thing which gives opportunity for juggling arts, our adversaries will nine times out of ten excel us.

Of the second, because it removes thus far the intervention of the State governments, and strengthens the connection between the Federal head and the people, and because it diminishes the means of party combination, in which also, the burning zeal of our opponents will be generally an overmatch for our temperate flame.

I shall be very happy that our friends may think with me, and that no temporary motive may induce them to let slip the precious occasion in which personal motives induce the other party to forget their true policy.

We are told here, that at the close of your birth-

day feast, a strange *apparition*, which was taken for the Vice-President, appeared among you, and toasted "the union of all honest men." I often hear at the corner of the streets important federal secrets, of which I am ignorant. This may be one.

If the story be true, 't is a good thing, if we use it well. As an *instrument*, the person will be an auxiliary of *some* value; as a chief, he will disgrace and destroy the party.

I suspect, however, the folly of the mass will make him the latter, and from the moment it shall appear that this is the plan, it may be depended upon much more will be lost than gained. I know of no more important character, who has a less *founded* interest than the man in question. His talents may do well enough for a particular plot, but they are ill suited to a great and wise *drama*. But what has wisdom to do with weak men? Adieu.

TO GENERAL CHARLES COTESWORTH PINCKNEY

March 15, 1802.

You will probably have learned before this reaches you that the act of last session for the better organization of the Judiciary Department has been repealed, and I take it for granted that you will, with me, view this measure as a vital blow to the Constitution. In my opinion it demands a systematic and persevering effort by all constitutional means to produce a revocation of the precedent, and to restore the Constitution. For this purpose I deem it

essential that there should be, without delay, a meeting and conference of a small number of leading Federalists from different States. Unless there shall be a plan of conduct proceeding from such a source, our measures will be disjointed, discordant, and of course ineffectual. There is also a further danger which may attend the want of a plan capable of fixing opinions and determining objects. There are among us incorrect men with very incorrect views, which may lead to combinations and projects injurious to us as a party and very detrimental to the country. These considerations have determined me to make an attempt to bring about such a meeting. And it has occurred that the first Monday of May next, at the city of Washington, may be a good time and place. A general meeting of the Society of the Cincinnati is to be then and there held. I have likewise taken the liberty to request the attendance of Governor Davie, of North Carolina. In the event of your concurring in sentiment with me, it will be expedient for you to second my invitation to him.[1]

TO GOUVERNEUR MORRIS

NEW YORK, April 6, 1802.

Amidst the humiliating circumstances which attend our country, all the sound part of the community must find cause of triumph in the brilliant display of talents which have been employed, though without success, in resisting the follies of an in-

[1] Reprinted from the *History of the Republic*, vii., 564.

fatuated administration; and your personal friends will not have much reason for mortification on account of the part you have performed in the interesting scene. But, my dear sir, we must not content ourselves with a temporary effort to oppose the approach of evil. We must derive instruction from the experience before us; and learning to form a just estimate of things to which we have been attached, there must be a systematic and persevering endeavor to establish the fortune of a great empire on foundations much firmer than have yet been devised. What will signify a vibration of power if it cannot be used with confidence or energy, and must be again quickly restored to hands which will prostrate much faster than we shall be able to rear under so frail a system? Nothing will be done until the structure of our national edifice shall be such as naturally to control eccentric passions and views, and to keep in check demagogues and knaves in the disguise of patriots. Yet I fear a different reasoning will prevail, and an eagerness to recover lost power will betray us into expedients which will be injurious to the country and disgraceful and ruinous to ourselves. What meant the *apparition* and the *toast* which made part of the *after-piece* of the *birthday festival?* Is it possible that some new intrigue is about to link the Federalists with a man who can never be anything else than the bane of a good cause? I dread more from this than from all the contrivances of the bloated and senseless junto of Virginia.

The Federalists and Anti-federalists of this State united in certain amendments to the Constitution

now before your House, having for objects, 1st, to discriminate the candidates for the Presidency and Vice-Presidency; 2d, to have the electors of these officers chosen by the people, in districts, under the direction of Congress. Both these appear to me points of importance in true federal calculation. Surely the scene of last session ought to teach us the intrinsic demerits of the existing plan. It proved to us how possible it is for a man in whom no party had confidence, and who deserved the confidence of none, by mere intrigue and accident, to acquire the first place in the government of our nation; and it also proves to us how serious a danger of convulsion and disorder is incident to the plan. On this point things have come to my knowledge, improper for a letter, which would astonish you. Surely, we ought by this time to have learnt that whatever multiplies the opportunities and means of cabal, is more favorable to our adversaries than to us. They have certainly the advantage in the game by greater zeal, activity, and subtlety, and especially by an abandonment of principle. On all these accounts it is our true policy to abridge the facilities to cabal as much as possible in all our public institutions and measures. As to the second of the amendments, it has ever appeared to me as sound principle to let the federal government rest, as much as possible, *on the shoulders of the people*, and as little as possible on those of the State Legislatures. The proposition accords with this principle, and, in my view, it is further recommended by its tendency to exclude *combinations*, which, I am persuaded, in the general

and permanent course of things, will operate more against than for us. Colonel Burr, without doubt, will resist these amendments; and he may induce some of our friends to play into his hands; but this will be a very bad calculation, even admitting the inadmissible idea that he ought to be adopted as a chief of the federal party. We never can have him fairly in our power, till we render his situation absolutely hopeless with his old friends. While the indiscriminate voting prevails, he will find it his interest to play fast and loose, and to keep himself in a state to be at the head of the anti-federal party. If these hopes are cut off, he will immediately set about forming a third party, of which he will be at the head; and then, if we think it worth the while, we can purchase him with his flying squadron.

These observations are, of course, hypothetical, for, to my mind, the elevation of Mr. Burr, by federal means, to the chief magistracy of the United States, will be the worst kind of political suicide.

TO JAMES A. BAYARD

New York, April, 1802.

My Dear Sir:

Your letter of the 12th instant has relieved me from some apprehension. Yet it is well that it should be perfectly understood by the truly sound part of the Federalists that there do, in fact, exist intrigues in good earnest between several individuals not unimportant, of the federal party, and the person in question, which are bottomed upon motives

and views by no means auspicious to the real welfare of the country. I am glad to find that it is in contemplation to adopt a plan of conduct. It is very necessary; and, to be useful, it must be efficient and comprehensive in the means which it embraces, at the same time that it must meditate none which are not really constitutional and patriotic. I will comply with your invitation by submitting some ideas which, from time to time, have passed through my mind. Nothing is more fallacious than to expect to produce any valuable or permanent results in political projects by relying merely on the reason of men. Men are rather reasoning than reasonable animals, for the most part governed by the impulse of passion. This is a truth well understood by our adversaries, who have practised upon it with no small benefit to their cause; for at the very moment they are eulogizing the reason of men, and professing to appeal only to that faculty, they are courting the strongest and most active passion of the human heart, *vanity!* It is no less true, that the Federalists seem not to have attended to the fact sufficiently; and that they erred in relying so much on the rectitude and utility of their measures as to have neglected the cultivation of popular favor, by fair and justifiable expedients. The observation has been repeatedly made by me to individuals with whom I particularly conversed, and expedients suggested for gaining good will, which were never adopted. Unluckily, however, for us, in the competition for the passions of the people, our opponents have great advantages over us; for the plain reason that the

vicious are far more active than the good passions; and that, to win the former to our side, we must renounce our principles and our objects, and unite in corrupting public opinion till it becomes fit for nothing but mischief. Yet, unless we can contrive to take hold of, and carry along with us some strong feelings of the mind, we shall in vain calculate upon any substantial or durable results. Whatever plan we may adopt, to be successful, must be founded on the truth of this proposition. And perhaps it is not very easy for us to give it full effects; especially not without some deviations from what, on other occasions, we have maintained to be right. But in determining upon the propriety of the deviations, we must consider whether it be possible for us to succeed, without, in some degree, employing the weapons which have been employed against us, and whether the actual state and future prospect of things be not such as to justify the reciprocal use of them. I need not tell you that I do not mean to countenance the imitation of things intrinsically unworthy, but only of such as may be denominated irregular; such as, in a sound and stable order of things, ought not to exist. Neither are you to infer that any revolutionary result is contemplated. In my opinion, the present Constitution is the standard to which we are to cling. Under its banners, *bona fide*, must we combat our political foes, rejecting all changes but through the channel itself provides for amendments. By these general views of the subject have my reflections been guided. I now offer you the outline of the plan which they have suggested.

Let an association be formed to be denominated "The Christian Constitutional Society." Its objects to be:

1st. The support of the Christian religion.

2d. The support of the Constitution of the United States.

Its organization

1st. A council, consisting of a president and twelve members, of whom four and the president to be a quorum.

2d. A sub-directing council in each State, consisting of a vice-president and twelve members, of whom four, with the vice-president, to be a quorum.

3d. As many societies in each State as local circumstances may permit to be formed by the sub-directing council.

The meeting at Washington to nominate the president and vice-president, together with four members of each of the councils, who are to complete their own *numbers* respectively.

Its means

1st. The diffusion of information. For this purpose not only the newspapers, but pamphlets, must be largely employed, and to do this a fund must be created; five dollars annually, for eight years, to be contributed by each member who can really afford it (taking care not to burthen the less able brethren), may afford a competent fund for a competent term. It is essential to be able to disseminate *gratis* useful

publications. Wherever it can be done, and there is a press, clubs should be formed, to meet once a week, read the newspapers, and prepare essays, paragraphs, etc.

2d. The use of all lawful means in *concert* to promote the election of *fit* men; a lively correspondence must be kept up between the different societies.

3d. The promoting of institutions of a charitable and useful nature in the management of Federalists. The populous cities ought particularly to be attended to; perhaps it would be well to institute in such places—1st, societies for the relief of emigrants; 2d, academies, each with one professor, for instructing the different classes of mechanics in the principles of mechanics and the elements of chemistry. The cities have been employed by the Jacobins to give an impulse to the country; and it is believed to be an alarming fact that, while the question of presidential election was pending in the House of Representatives, parties were organizing in several of the cities in the event of there being no election, to cut off the leading Federalists and seize the government.

The foregoing to be the principal engine, and, in addition, let measures be adopted to bring as soon as possible the repeal of the judiciary law before the Supreme Court; afterwards, if not before, let as many Legislatures as can be prevailed upon instruct their Senators to endeavor to procure a repeal of the repealing law. The body of New England, speaking the same language, will give a powerful impulse. In Congress our friends to *propose* little, to agree cor-

dially to all good measures, and to resist and expose all bad. This is a general sketch of what has occurred to me. It is at the service of my friends for so much as it may be worth.

TO RUFUS KING

NEW YORK, June 3, 1802.

MY DEAR SIR:

I have been long very delinquent towards you as a correspondent, and am to thank you that you have not cast me off altogether as an irretrievable reprobate. But you know how to appreciate the causes, and you have made a construction equally just and indulgent.

In your last you ask my opinion about a matter delicate and important, both in a public and in a personal view. I shall give it with the frankness to which you have a right, and I may add that the impressions of your other friends, so far as they have fallen under my observation, do not differ from my own. While you were in the midst of a negotiation interesting to your country, it was your duty to keep your post. You have now accomplished the object, and with the good fortune, not very common, of having the universal plaudit. This done, it seems to me most advisable that you return home. There is little probability that your continuance in your present station will be productive of much positive good. Nor are circumstances such as to give reason to apprehend that the substitute for you, whoever he may be, can do much harm. Your stay or return, therefore, as it regards our transatlantic concerns,

is probably not material, while your presence at home may be useful in ways which it is not necessary to particularize. Besides, it is questionable whether you can long continue in the service of the present administration consistently with what is due, as well to your own character as to the common cause. I am far from thinking that a man is bound to quit a public office merely because the administration of the government may have changed hands. But when those who have come into power are undisguised persecutors of the party to which he has been attached, and study with ostentation to heap upon it every indignity and injury, he ought not, in my opinion, to permit himself to be made an exception, or to lend his talents to the support of such characters. If, in addition to this, it be true that the principles and plans of the men at the head of affairs tend to the degradation of the government, and to their own disgrace, it will hardly be possible to be in any way connected with them without sharing in the disrepute which they may be destined to experience.

I wish I had time to give you a comprehensive and particular map of our political situation; but more than a rude outline is beyond my leisure, devoted as I am more than ever to my professional pursuits.

You have seen the course of the administration hitherto, especially during the last session of Congress, and I am persuaded you will agree with me in opinion, that it could hardly have been more diligent in mischief. What, you will ask, has been and is likely to be the effect on the public mind?

Our friends are sanguine that a great change for the better has been wrought and is progressive. I suppose good has been done—that the Federalists have been reunited and cemented; have been awakened, alarmed. Perhaps, too, there may be some sensible and moderate men of the opposite party who are beginning to doubt. But I as yet discover no satisfactory symptoms of a revolution of opinion in the mass—"informe ingens cui lumen ademptum." Nor do I look with much expectation to any serious alteration until inconveniences are extensively felt, or until time has produced a disposition to coquet it with new lovers. Vibrations of power, you are aware, are of the genius of our government.

There is, however a circumstance which may accelerate the fall of the present party. There is certainly a most serious schism between the chief and his heir-apparent; a schism absolutely incurable, because founded in the hearts of both, in the rivalship of an insatiable and unprincipled ambition. The effects are already apparent, and are ripening into a more bitter animosity between the partisans of the two men, than ever existed between the Federalists and Anti-federalists.

Unluckily, we are not as neutral to this quarrel as we ought to be. You saw, however, how far our friends in Congress went in polluting themselves with the support of the second personage for the Presidency. The cabal did not terminate there. Several men of no inconsiderable importance among us like the enterprising and adventurous character

of this man, and hope to soar with him to power. Many more, through hatred to the chief, and through an impatience to recover the reins, are linking themselves to the new chief almost without perceiving it, and professing to have no other object than to make use of him; while he knows that he is making use of them. What this may end in, it is difficult to perceive.

Of one thing only I am sure, that in no event will I be directly or indirectly implicated in a responsibility for the elevation or support of either of two men who, in different senses, are in my eyes equally unworthy of the confidence of intelligent or honest men.

Truly, my dear sir, the prospects of our country are not brilliant. The mass is far from sound. At headquarters a most visionary theory presides. Depend upon it, this is the fact to a great extreme. No army, no navy, no *active* commerce; national defence, not by arms, but by embargoes, prohibitions of trade, etc.; as little government as possible within; —these are the pernicious dreams which, as far and as fast as possible, will be attempted to be realized. Mr. Jefferson is distressed at the codfish having latterly emigrated to the southern coast, lest the people there should be tempted to catch them, and commerce, of which we have already too much, receive an accession. Be assured this is no pleasantry, but a very sober anecdote.

Among Federalists old errors are not cured. They also continue to dream, though not quite so preposterously as their opponents. All will be very

well (say they) when the power once gets back into federal hands. The people, convinced by experience of their error, will repose a permanent confidence in good men. *Risum teneatis.*

TO THE EDITOR OF THE "EVENING POST"

NEW YORK, Aug. 10, 1802.

SIR:

Finding that a story, long since propagated, under circumstances which it was expected would soon consign it to oblivion (and by which I have been complimented at the expense of Generals Washington and Lafayette), has of late been revived, and has acquired a degree of importance by being repeated in different publications, as well in Europe as America, it becomes a duty to counteract its currency and influence by an explicit disavowal. The story imports in substance, that General Lafayette, with the approbation or connivance of General Washington, ordered me, as the officer who was to command the attack on a British redoubt, in the course of the siege of York Town, to put to death all those of the enemy who should happen to be taken in the redoubt, and that, through motives of humanity, I forbore to execute the order. Positively and unequivocally I declare, that no such nor similar order, nor any intimation nor hint resembling it, was ever by me received, or understood to have been given. It is needless to enter into an explanation of some occurrences on the occasion alluded to, which may be conjectured to have given rise to the calumny. It is

enough to say that they were entirely disconnected with any act of either of the generals who have been accused.

With esteem, I am, sir, your most obedient servant.[1]

TO OLIVER WOLCOTT

GRANGE, Aug. 14, 1802.

MY DEAR SIR:

When you were last in town, I proposed to communicate to you the outline of a project, by which I think you may enter upon a career of business beneficial to yourself and friends. My almost constant attendance at court ever since you were here, has retarded the communication which I shall now make.

Let a commercial capital be found, to consist of 100,000 dollars, divided into shares of $100 each. A subscriber to pay in cash *one tenth* of his subscription, and for the residue 7 per centum per annum. It will then be his interest to pay up as soon as he can.

The subscribers to form a partnership, under the firm of Oliver Wolcott & Co.; Oliver Wolcott alone to have the signature of the firm, and the active management of the affairs of the company, with an allowance of $1,500 per annum out of the profits for the trouble of management, besides his share of profits as a partner.

Oliver Wolcott and two others of the partners to form a board of direction, to plan, etc.

Clerks and all incidental expenses to be paid out of the fund.

[1] Reprinted from the *History of the Republic*, ii., 271.

The objects of the company.

1. Agencies of purchase and sales of land, stocks, etc.

2. Factorage of cargoes, consigned on commission; purchase of goods on commission, etc.; in brief, "the business of a commission merchant merely."

3. Purchases at auction, and sales of the articles purchased.

4. Loans of money on deposit of goods, with a right, if not redeemed in time, to sell on commission, perhaps.

Speculative enterprises in navigation and commerce to be excluded.

In a company thus formed under your management, I should be willing to become a partner for from 5 to 10,000 dollars, and I have no doubt that the capital will be readily formed of confidential and trustworthy characters, who would insure great credit to the house. I am also confident, that when it should be known in Europe that certain characters were of the company, it would attract a good portion of profitable employment.

I will enter into no further detail. If the project impresses you favorably, come to New York, and we will give it form, and finish and prepare for execution. Do not lightly reject it.

TO GOUVERNEUR MORRIS

GRANGE, Sept. 4, 1802.

MY DEAR SIR:

I fully intended to have dined with you to day, but, going to town the two last days, and forgetting

that I ought to observe a regimen, I have brought back, in some degree, the complaint which lately annoyed me, and which requires to be well watched. This must deprive me of the pleasure of seeing you.

I send schedules of the papers required of Tillier, all which have been put into my hands; the bills to remain till the close of the affair; the other documents to be delivered to your order.

I also send a draught of the trust deed. It endeavors to comply with your suggestion, as far as can be done without running foul of the danger desired to be avoided.

Your guests are invited to dine with us Thursday next.

Will you make one?

TO GENERAL CHARLES COTESWORTH PINCKNEY

GRANGE (NEW YORK), Dec. 29, 1802.

MY DEAR SIR:

A garden, you know, is a very useful refuge of a disappointed politician. Accordingly, I have purchased a few acres about nine miles from town, have built a house, and am cultivating a garden. The *melons* in your country are very fine. Will you have the goodness to send me some seed, both of the water and musk melons? My daughter adds another request, which is for three or four of your paroquets. She is very fond of birds. If there be any thing in this quarter the sending of which can give you pleasure, you have only to name them.

As *farmers*, a new source of sympathy has arisen between us, and I am pleased with every thing in which our likings and tastes can be approximated. Amidst the triumphant reign of democracy, do you retain sufficient interest in public affairs to feel any curiosity about what is going on? In my opinion, the follies and vices of the administration have as yet made no material impression to their disadvantage. On the contrary, I think the malady is rather progressive than upon the decline in our Northern quarter. The last *lullaby* message, instead of inspiring contempt, attracts praise. Mankind are forever destined to be the dupes of bold and cunning imposture. But a difficult knot has been twisted by the incidents of the cession of Louisiana, and the interruption of the deposit of New Orleans. You have seen the soft turn given to this in the message. Yet we are told that the President, in conversation, is very stout. The great embarrassment must be how to carry on the war without taxes. The pretty scheme of substituting economy to taxation will not do here. And a war would be a terrible comment upon the abandonment of the internal revenue. Yet how is popularity to be preserved with the Western partisans if their interests are tamely sacrificed? Will the artifice be for the chief to hold a bold language, and the subalterns to act a feeble part? Time must explain. You know my general theory as to our Western affairs. I have always held that the *unity of our empire* and the best interests of our nation require that we shall annex to the United States all the territory east of the Mississippi, New

Orleans included. Of course I infer that, in an emergency like the present, energy is wisdom.

Mrs. Hamilton joins me in affectionate compliments to Mrs. Pinckney.

TO TIMOTHY PICKERING [1]

NEW YORK, Sept. 18, 1803.

MY DEAR SIR:

I will make no apology for my delay in answering your inquiry, some time since made, because I could offer none which would satisfy myself. I pray you only to believe that it proceeded from any thing rather than want of respect or regard. I shall now comply with your request. The highest-toned propositions which I made in the convention were for a President, Senate, and Judges during good behavior —a House of Representatives for three years. Though I would have enlarged the legislative power of the general government, yet I never contemplated the abolition of the State governments, but on the contrary, they were, in some particulars, constituent parts of my plan. This plan was, in my conception, conformable with the strict theory of a government purely republican, the essential criteria of which are that the principal organs of the executive and legislative departments be elected by the people, and hold their offices by a *responsible* and temporary or *defeasible* tenure. A vote was taken on the proposition respecting the executive. Five

[1] At this time Senator from Massachusetts.

States were in favor of it, among these Virginia, and though, from the manner of voting—by delegations, —individuals were not distinguished, it was morally certain, from the known situation of the Virginia members (six in number, two of them, *Mason* and *Randolph*, professing popular doctrines), that *Madison* must have concurred in the work of Virginia; thus, if I sinned against *republicanism*, Mr. Madison was not less guilty. I may truly then say that I never proposed either a President or Senate for life, and that I neither recommended nor meditated the annihilation of the State governments. And I may add that, in the course of the discussions in the convention, neither the propositions thrown out for debate, nor even those voted in the earlier stages of the deliberation, were considered as evidences of a definitive opinion in the proposer or voter.[1] It appeared to me to be in some sort understood that, with a view to free investigation, experimental propositions might be made, which were to be received merely as suggestions for consideration. Accordingly, it is a fact that my final opinion was against an Executive during good behavior, on account of the increased danger to the public tranquillity incident to the election of a magistrate of this degree of permanency. In the plan of a constitution which I drew up while the convention was sitting, and which I communicated to Mr. Madison about the close of it, perhaps a day or two after, the office of President has no greater duration than for three years.[2] This

[1] See Madison Papers, ii., 724–762.
[2] *Ibid.*, iii.; Appendix xvi. and xxi.

plan was predicated upon these bases: 1. That the political principles of the people of this country would endure nothing but republican government. 2. That in the actual situation of the country, it was in itself right and proper that the republican theory should have a fair and full trial. 3. That to such a trial it was essential that the government should be so constructed as to give all the energy and stability reconcilable with the principles of that theory.

These were the genuine sentiments of my heart, and upon them I acted. I sincerely hope that it may not hereafter be discovered that, through want of sufficient attention to the last idea, the experiment of republican government, even in this country, has not been as complete, as satisfactory, and as decisive as could be wished.

TO RUFUS KING

ALBANY, Feb. 24, 1804.

MY DEAR SIR:

You will have heard before this reaches you of the fluctuations and changes which have taken place in the measures of the reigning party, as to a candidate for governor; and you will probably have also been informed that, pursuant to the opinions professed by our friends, before I left New York I had taken an active part in favor of Mr. Lansing.

It is a fact to be regretted, though anticipated, that the Federalists very extensively had embarked with zeal in the support of Mr. Burr; yet an impression to the contrary, and in favor of Mr. Lansing, had

been made, and there was good ground to hope that a proper direction in the main might have been given to the current of Federalism. The substitution of Mr. Lewis has essentially varied the prospect, and the best informed among us here agree that the Federalists, as a body, could not be diverted from Mr. Burr to Mr. Lewis, by any efforts of leading characters, if they should even deem the support of the latter expedient.

Though I have no reason to think that my original calculation was wrong, while the competition was between Clinton and Burr, yet from the moment the former declined, I began to consider the latter as having a chance of success. It was still, however, my reliance that *Lansing* would outrun him; but now that Chief-Justice Lewis is the competitor, the probability in my judgment inclines to Mr. Burr.

Thus situated, two questions have arisen; first, whether a federal candidate ought not to be run, as a means of defeating Mr. Burr, and of keeping the Federalists from becoming a personal faction allied to him. Second, whether, in the conflict of parties as they now stand, the strongest of them disconcerted and disjointed, there would not be a considerable hope of success for a federal candidate.

These questions have received no solution in scarcely any one's mind; but it is agreed that, if an attempt is to be made, you must be the candidate. There is no other man among us under whose standard either fragment of the democratic party could as easily rally. It is enough to say, you have been absent during the time in which party animosities

have become matured and fixed, and, therefore, are much less than any other distinguished Federalist, an object of them.

To detach the Federalists from Burr, they must believe *two* things: *one*, that we are in earnest as to our candidate, and that it is not a mere diversion; *the other*, that there is some chance of success. All believe, and some leading candidates admit, that if either of the two democratic rival parties should come to expect a defeat, they will range themselves under your banner.

Reflect well on all these things, and make up your mind in case you should be invited to consent. I have not time to enlarge.

TO GOVERNOR GEORGE CLINTON

ALBANY, Feb. 27, 1804.

SIR:

It is now a long time since a very odious slander [1] has been in circulation to the prejudice of my character.

It has come to my ears in more than one way, but always, till lately, without the disclosure of any source to which I could resort for explanation or detection. Within a few days, Mr. Kane, of this city, related to me a story as coming from Judge Purdy, in substance very similar to the calumny to

[1] To the effect that he was the author of a letter proposing a monarchical government, in 1788, with Prince Frederick, Duke of York, and titular Bishop of Osnaburg, as king. Clinton finally disclaimed all belief in the accusation.

which I have alluded. The amount of his information, and the result of an interview with Judge Purdy, are contained in the enclosed paper.[1] You will observe, sir, that your name is implicated in the transaction. With what warrant, it would be improper

[1] The following letter is the paper referred to. It is taken from the Clinton papers, and I owe it to the kindness of Mr. Henry A. Homes, State Librarian of New York:

"Some time in the month of January last I called on the Hon. Jacob Snell, a member of the Council of Appointment, where I found the Hon. Ebenezer Purdy, together with a Mr. Hughes and one or two other gentlemen, whose names I do not recollect. Mr. Purdy immediately asked me if I had any objection to hear an oration read that was delivered on the Fourth of July by a young Irishman, who, if I mistake not, then resided in his family. I replied, Certainly not. It was a violent philippic against the Federal administration; the stamp act, sedition law, standing army, etc., were represented as the leading features of the Federal faction. After some considerable conversation on the merits of the oration, between Mr. Purdy and myself, he remarked that he fully believed monarchy was the object of the Federalists; that there was a person who did not wish to have his name mentioned who could prove the fact, and stood ready to make affidavit of it. That some time in the year of '98 a negotiation was opened between Gen. Hamilton, Mr. Adams, and the King of England, for the purpose of introducing monarchy into this country, at the head of which was to be placed one of the royal family, and that Canada was to be ceded to the States. For the truth of the above, Mr. Purdy referred me to Governor Clinton, who he said would not deny it, altho' he did not wish to say any thing about it.

"On the 23d of January, 1804, Gen. Hamilton and myself called upon Mr. Purdy for the purpose of investigating the affair. Gen. Hamilton introduced the subject to Mr. Purdy by telling him he had received information from Mr. Kane of certain declarations [of] a nature very interesting to his character, which he was determined to have explained and investigated. I then related to Mr. Purdy the conversation he had with me, as above stated. Mr. Purdy replied: 'What you have said, Mr. Kane, is pretty nearly correct [or words to that effect], with this difference: I did not mention Mr. Adams' name, and that affair which I spoke of to you did not happen in '98, but some time previous to the convention which formed the present Constitution of the United States. What I told you was nearly this: That somebody in England had made proposals to somebody at the Eastward

for me to prejudge. But the very mention of your name adds importance to the affair, and increases the motives to investigation.

The charge, even in the mitigated form to which it is reduced by Judge Purdy's admission, is of a nature too derogatory to permit me to pass it lightly over. It is essential that its origin and progress should be traced as fully as may be practicable, in order to the thorough exposure of its falsehood and malignity.

The assertions of Judge Purdy authorize me to appeal to you for a frank and candid explanation of so much of the matter as relates to yourself. This explanation I request as speedily as may be.

for establishing a monarchy in this country, and placing at the head of it a son of the King of Great Britain; that some letters or papers containing these proposals were sent to Gen. Hamilton, copies of which were made in his office to be distributed amongst certain persons.' Mr. Purdy then asked me if this was not the substance of what he had told me. I said that the difference was between that and what I had before stated, and recapitulated what I have before said. I also pressed upon Mr. Purdy what I had before stated respecting Gov. Clinton, and questioned him whether he had not made such an appeal to Gov. Clinton, and also whether he had not affirmed that there was a person who could attest the truth of the story. Mr. Purdy persisted in the statement which he had just made. As to Gov. Clinton, he admitted that he had mentioned to the Governor the story he had heard, and that the Governor had replied that he had had one of the letters. On being interrogated by Gen. Hamilton, whether he had mentioned his name to Gov. Clinton, he answered he was not sure whether he had done it or not. On being further interrogated as to his having said there was a person ready to prove the transaction he had stated, he answered there was a person who had assured him of his knowledge of the transaction as it was now stated by him. A variety of other conversation passed, but the above comprises the most material particulars.

(Signed) "JAMES KANE."

TO GOVERNOR GEORGE CLINTON

ALBANY, March 2, 1804.

SIR:

If our correspondence does not terminate with your letter of the 29th February, received yesterday, I wish it to be understood that it proceeds merely from the desire of removing all ambiguity from a transaction in which my character may be materially interested.

It is perhaps the natural inference from what you have stated, that nothing took place on your part to sanction or corroborate the story related to you by Judge Purdy, in reference to any agency or co-operation of mine in the supposed project. Yet some of the circumstances are such, that a different inference might possibly be drawn.

I therefore trust that you will be sensible of the propriety of dissipating all obscurity on this point.

If the letter, which you mention to have been put in your hands by General Malcolm, was not withdrawn by him, or if any copy was retained by you, it would be satisfactory to me to have an inspection of the one or the other, with leave to take a copy, in order that I may have an additional clue to the source of a story, which I verily believe originated entirely in a fabrication.

TO GOVERNOR GEORGE CLINTON

SIR: ALBANY, March 7, 1804.

On Saturday last I sent you a letter, of which the foregoing is a copy, to which, as yet, I have received no reply.

Intending to leave this place for New York on Saturday next, it is important that I should receive an answer before that day.

TO GOVERNOR GEORGE CLINTON

ALBANY, March 9, 1804.

SIR:

I had the honor of receiving yesterday your Excellency's letter of the 6th instant. It is agreeable to me to find in it a confirmation of the inference that you had given no countenance to the supposition of my agency or co-operation in the project to which the story of Judge Purdy relates; and it only remains for me to regret that it is not in your power to furnish the additional clue, of which I was desirous, to aid me in tracing the fabrication to its source.

I shall not only rely on the assurance which you give as to the future communication of the copy of the letter in question, should it hereafter come to your hands, but I will take the liberty to add a request, that you will be pleased to make known to me any other circumstances, if any should reach you, which may serve to throw light upon the affair. I feel an anxiety that it should be thoroughly sifted, not merely on my own account, but from a conviction that the pretended existence of such a project, long travelling about in whispers, has had no inconsiderable influence in exciting false alarms, and unjust suspicions to the prejudice of a number of

individuals, every way worthy of public confidence, who have always faithfully supported the existing institutions of the country, and who would disdain to be concerned in an intrigue with any foreign power, or its agents, either for introducing monarchy, or for promoting or upholding any other scheme of government within the United States.

TO TALLEYRAND

NEW YORK, March 25, 1804.

SIR:

Presuming on the acquaintance, from which I derived so much pleasure during your stay in this country, I am going to take a very great liberty. It concerns a near relation of mine, Mr. Alexander Hamilton, now a prisoner of war on parole at Paris.

His brother, from whom I have just received a letter, informs me that, being on a visit to the continent as a traveller, he was overtaken by the war between France and Great Britain, and has been since that time in the situation which I have mentioned. He is a Scotch gentleman of education and literary acquirements, who, having amassed a pretty handsome fortune in the East Indies, had returned to his own country to devote himself to the pursuits of knowledge, and was induced to pass over to the continent to indulge his curiosity, with a particular eye to the very interesting monuments of the arts, of which Paris is now the depository.

I will ask nothing specific for him, because I know not what could with propriety be done, contenting

myself with merely saying, that if your interposition can procure for him any facility, indulgence, or favor, it will confer a personal obligation on one who has the honor to remain, etc.

TO ———

NEW YORK, April 12, 1804.

DEAR SIR:

The post of to-day brought me a letter from you, and another from Mr. ——. I have no doubt but the latter would serve you if he could; but he cannot at this time.

On the whole, I would advise you to return to New York, and accept any respectable employment in your way, till an opportunity of something better shall occur. 'T is by practice and perseverance that we can expect to vanquish difficulties, and better an unpleasant condition.

Arraign not the dispensations of Providence, they must be founded in wisdom and goodness; and when they do not suit us, it must be because there is some fault in ourselves which deserves chastisement; or because there is a kind intent, to correct in us some vice or failing, of which, perhaps, we may not be conscious; or because the general plan requires that we should suffer partial ill.

In this situation it is our duty to cultivate resignation, and even humility, bearing in mind, in the language of the poet, "that it was pride which lost the blest abodes." [1]

[1] Now first printed from the Hamilton papers in the State Department.

TO PHILIP J. SCHUYLER [1]

April 20, 1804.

MY DEAR SIR:

I did not write to you on the subject of the awards, because I was in correspondence with Mr. Jacob Van Rensselaer respecting the matter.

He has sent me the draughts of deeds which I shall in a few days inspect, and return with such suggestions as may be requisite.

The things most urgent are—1. The completion of the survey, which Mr. R. writes me is in train.—2. The appointment of a guardian for Mr. Kane's daughter at Schenectady. On both objects, I have written particularly to Mr. J. Van Rensselaer.

I say nothing on politics, with the course of which I am too much disgusted to give myself any future concern about them.[2]

TO JAMES A. HAMILTON

1804.

MY DEAR JAMES:

I have prepared for you a Thesis on Discretion. You may need it. God bless you.

Your affectionate father.[3]

TO THEODORE SEDGWICK

NEW YORK, July 10, 1804.

MY DEAR SIR:

I have received two letters from you since we last saw each other, that of the latest date being the 24th

[1] Hamilton's brother-in-law.

[2] This letter, now first printed, I owe to the kindness of Mr. Henry A. Homes, State Librarian at Albany.

[3] Reprinted from the *Reminiscences of James A. Hamilton*, p. 40.

of May. I have had on hand for some time a long letter to you, explaining my view of the course and tendency of our politics, and my intentions as to my own future conduct. But my plan embraced so large a range that, owing to much avocation, some indifferent health, and a growing distaste to politics, the letter is still considerably short of being finished. I write this now to satisfy you that want of regard for you has not been the cause of my silence.

I will here express but one sentiment, which is, that dismemberment of our empire will be a clear sacrifice of great positive advantages without any counterbalancing good, administering no relief to our real disease, which is *democracy*, the poison of which, by a subdivision, will only be the more concentrated in each part, and consequently the more virulent. King is on his way for Boston, where you may chance to see him, and hear from himself his sentiments. God bless you.[1]

[This letter and the next were omitted by an oversight, and are therefore given here.]

TO GENERAL JOHN SULLIVAN

HEADQUARTERS, 1778.

SIR:

His Excellency has received your two last favors to-day. In the first you hint the want of a reinforcement, but as the intention of your body is chiefly for observation and skirmishing, and not to

[1] The day after this letter was written Hamilton was killed by Burr.

make any serious stands, it is the less necessary it should be powerful in numbers. It will, however, depend upon circumstances how far it will be expedient to reinforce; and as soon as anything can be determined from them, you shall have whatever addition of strength you may stand in need of.

The information contained in your last, of the enemy's being encamped on the road leading from New Brunswick to Princeton, about the Third Mile Run, is not well founded. We have had parties and officers, reconnoitring as far as the Mile Run, and there is no sign of an encampment. They seem to be taking their old position with their right at Amboy, their left at Brunswick; but how long they will remain so it is hard to tell. His Excellency desires you will engage some trusty person at South Amboy, on whom you can depend for faithful and early intelligence of the appearance of shipping in the river, or any preparation for a movement by water, that we may be in time prepared to counteract them.

TO WASHINGTON

AMBOY, March 17, 1780.

DEAR SIR:

I duly received your letter of the fourteenth, and shall not fail, in conjunction with General St. Clair, to attend to the military object of it. I am much obliged to your Excellency for the communication of your Southern advices. The enemy are still in the dark about their fleet and army gone that way, as we gather from the commissioners. They pre-

tend to have little European news, though a vessel arrived two or three days since from England, after ten weeks' passage. We send you some late New York papers.

The commission has been several days at an end. The enemy, as was supposed, had no idea of treating on national ground. We are now in private conversation, and so far not without hopes that the liberation of our prisoners will be effected on *admissible* terms. Two or three days more will probably put an end to the interview. General St. Clair and Colonel Carrington beg their respects may be presented to your Excellency.

[Correspondence relating to the duel with Burr. Reprinted from the *History of the Republic*, vii., 805, *et seq.*]

A. BURR TO GENERAL HAMILTON

NEW YORK, June 18, 1804.

SIR:

I send you for your perusal a letter signed Charles D. Cooper, which, though apparently published some time ago, has but very recently come to my knowledge. Mr. Van Ness, who does me the honor to deliver this, will point out to you that clause of the letter to which I particularly request your attention. You must perceive, sir, the necessity of a prompt, unqualified acknowledgment or denial of the use of any expressions which would warrant the assertions of Dr. Cooper.

HAMILTON TO BURR

NEW YORK, June 20, 1804.

SIR:

I have maturely reflected on the subject of your letter of the eighteenth instant, and the more I have reflected, the more I have become convinced that I could not, without manifest impropriety, make the avowal or disavowal which you seem to think necessary. The clause pointed out by Mr. Van Ness is in these terms: "I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr." To endeavor to discover the meaning of this declaration, I was obliged to seek in the antecedent part of this letter for the opinion to which it referred, as having been already disclosed. I found it in these words: "General Hamilton and Judge Kent have declared in substance that they looked upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of government."

The language of Dr. Cooper plainly implies that he considered this opinion of you, which he attributes to me, as a despicable one; but he affirms that I have expressed some other, more despicable, without, however, mentioning to whom, when, or where. 'T is evident that the phrase "still more despicable" admits of infinite shades, from very light to very dark. How am I to judge of the degree intended, or how shall I annex any precise idea to language so indefinite?

Between gentlemen, despicable and more despicable are not worth the pains of distinction; when,

therefore, you do not interrogate me as to the opinion which is specifically ascribed to me, I must conclude that you view it as within the limits to which the animadversions of political opponents upon each other may justifiably extend, and consequently as not warranting the idea of it which Dr. Cooper appears to entertain. If so, what precise inference could you draw as a guide for your conduct, were I to acknowledge that I had expressed an opinion of you still more despicable than the one which is particularized? How could you be sure that even this opinion had exceeded the bounds which you yourself deem admissible between political opponents?

But I forbear further comment on the embarrassment to which the requisition you have made naturally leads. The occasion forbids a more ample illustration, though nothing could be more easy than to pursue it. Repeating, that I cannot reconcile it with propriety to make the acknowledgment you desire, I will add that I deem it inadmissible, on principle, to consent to be interrogated as to the justness of the inferences which may be drawn by others from what I may have said of a political opponent in the course of fifteen years' competition. If there were no other objection to it, this is sufficient, that it would tend to expose my sincerity and delicacy to injurious imputation from every person who may at any time have conceived the import of my expressions differently from what I may then have intended or may afterwards recollect. I stand ready to avow or disavow, promptly and explicitly, any precise or definite opinion which I may be

charged with having declared of any gentleman. More than this cannot fitly be expected from me, and especially it cannot be reasonably expected that I shall enter into an explanation upon a basis so vague as that which you have adopted. I trust, on mature reflection, you will see the matter in the same light with me. If not, I can only regret the circumstance, and must abide the consequences.

The publication of Dr. Cooper was never seen by me until after the receipt of your letter.

BURR TO HAMILTON

NEW YORK, June 21, 1804.

SIR:

Your letter of the 20th inst. has been this day received. Having considered it attentively, I regret to find in it nothing of that sincerity and delicacy which you profess to value.

Political opposition can never absolve gentlemen from the necessity of a rigid adherence to the laws of honor and the rules of decorum. I neither claim such privilege nor indulge it in others.

The common-sense of mankind affixes to the epithet adopted by Dr. Cooper, the idea of dishonor. It has been publicly applied to me under the sanction of your name. The question is not whether he has understood the meaning of the word, or has used it according to syntax and with grammatical accuracy, but whether you have authorized this application, either directly or by uttering expressions or opinions derogatory to my honor. The time "when" is in your own knowledge, but no way

material to me, as the calumny has now first been disclosed, so as to become the subject of my notice, and as the effect is present and palpable. Your letter has furnished me with new reasons for requiring a definite reply.

HAMILTON TO BURR

New York, June 22, 1804.

SIR:

Your first letter, in a style too peremptory, made a demand, in my opinion, unprecedented and unwarrantable. My answer, pointing out the embarrassment, gave you an opportunity of taking a less exceptionable course. You have not chosen to do it; but by your last letter, received this day, containing expressions indecorous and improper, you have increased the difficulties to explanation intrinsically incident to the nature of your application. If by a "definite reply," you mean the direct avowal or disavowal required in your first letter, I have no other answer to give, than that which has already been given. If you mean any thing different, admitting of greater latitude, it is requisite you should explain.

W. P. VAN NESS [1] TO HAMILTON

June 23, 1804.

SIR:

In the afternoon of yesterday, I reported to Col. Burr the result of my last interview with you and

[1] Burr's second in the duel.

appointed the evening to receive his further instructions. Some private engagements, however, prevented me from calling on him till morning. On my return to the city, I found upon inquiry, both at your office and house, that you had returned to your residence in the country.

Lest an interview there might be less agreeable to you than elsewhere, I have taken the liberty of addressing you this note to inquire when and where it will be most convenient to you to receive a communication.

VAN NESS TO MAJOR NATHANIEL PENDLETON [1]

June 26, 1804.

SIR:

The letter which you yesterday delivered me, and your subsequent communication, in Col. Burr's opinion, evince no disposition on the part of General Hamilton to come to a satisfactory accommodation. The injury complained of and the reparation expected are so definitely expressed in Col. Burr's letter of the 21st instant, that there is not perceived a necessity for further explanation on his part. The difficulty that would result from confining the inquiry to any particular times and occasions must be manifest. The denial of a specified conversation only, would leave strong implication that on other occasions improper language had been used. When and where injurious opinions and expressions have been uttered by General Hamilton

[1] Pendleton was Hamilton's second in the duel.

must be best known to him, and of him only will Col. Burr inquire. No denial or declaration will be satisfactory, unless it be general, so as to wholly exclude the ideas that rumors derogatory to Col. Burr's honor have originated with General Hamilton, or have been fairly inferred from any thing he has said. A definite reply to a requisition of this nature was demanded by Col. Burr's letter of the twenty-first inst. This being refused, invites the alternative referred to in General Hamilton's letter of the 20th. It was required by the position in which the controversy was placed by General Hamilton on Friday last, and I was immediately furnished with a communication demanding a personal interview. The necessity of this measure has not, in the opinion of Col. Burr, been diminished by the General's last letter, or any communication which has since been received. I am consequently again instructed to deliver to you a message, as soon as it may be convenient for you to receive it. I beg, therefore, you will be so good as to inform me at what hour I can have the pleasure of seeing you.

PENDLETON TO VAN NESS

June 26, 1804.

SIR:

I have communicated the letter which you did me the honor to write to me of this date, to General Hamilton. The expectations now disclosed on the part of Col. Burr appear to him to have greatly extended the original ground of inquiry, and instead

of presenting a particular and definite case for explanation, seem to aim at nothing less than an inquisition into his most confidential conversations, as well as others, through the whole period of his acquaintance with Col. Burr. While he was prepared to meet the particular case fairly and fully, he thinks it inadmissible that he should be expected to answer at large as to every thing that he may possibly have said, in relation to the character of Col. Burr, at any time, or upon any occasion. Though he is not conscious that any charges which are in circulation to the prejudice of Col. Burr have originated with him, except one which may have been so considered, and which has long since been fully explained between Col. Burr and himself, yet he cannot consent to be questioned generally as to any rumors which may be afloat derogatory to the character of Col. Burr, without specification of the several rumors, many of them probably unknown to him. He does not, however, mean to authorize any conclusion as to the real nature of his conduct in relation to Col. Burr, by his declining so loose and vague a basis of explanation, and he disavows an unwillingness to come to a satisfactory, provided it be an honorable, accommodation.

His objection is, the very indefinite ground which Col. Burr has assumed, in which he is sorry to be able to discern nothing short of premeditated hostility. Presuming, therefore, that it will be adhered to, he has instructed me to receive the message which you have it in charge to deliver. For this purpose I shall be at home and at your

accommodation to-morrow morning, from eight to ten o'clock.[1]

VAN NESS TO PENDLETON

June 27, 1804.

SIR:

The letter which I had the honor to receive from you, under date of yesterday, states, among other things, that in General Hamilton's opinion, Col. Burr has taken a very indefinite ground, in which he evinces nothing short of pre-determined hostility, and that General Hamilton thinks it inadmissible that the inquiry should extend to his confidential as well as other conversations. In this Col. Burr can only reply, that secret whispers, traducing his fame and impeaching his honor, are, at least, equally injurious with slanders publicly uttered; that General Hamilton had at no time and in no place a right to use any such injurious expressions, and the partial negative he is disposed to give, with the reservation he wishes to make, are proofs that he has done the injury specified.

Col. Burr's request was, in the first instance, proposed in a form the most simple, in order that Gen-

[1] Note from the *History of the Republic*, vii., 812.—'T is not unworthy of notice, that on the very day of this communication, Hamilton, who had been consulted by a poor, illiterate man, in the humblest walk of life, wrote this note: "DEAR SIR: I should like to see you on the subject of a poor fellow, Peter Drinker, who says he has been employed by you, and appears unfortunate, which is his title to my attention. Yours truly, A. H. June 26, 1804. P. G. Stuyvesant, Esq." This much-respected gentleman relates: "I reproved the man for the freedom in which he had indulged, and undertook to convince him of the impropriety of troubling General Hamilton with his concerns." His reply was: "Oh, no, sir, he treated me very kindly."

eral Hamilton might give to the affair that course to which he might be induced by his temper and his knowledge of facts. Col. Burr trusted with confidence that, from the frankness of a soldier and the candor of a gentleman, he might expect an ingenuous declaration. That if, as he had reason to believe, General Hamilton had used expressions derogatory to his honor, he would have had the magnanimity to retract them; and that if, from his language, injurious inferences had been improperly drawn, he would have perceived the propriety of correcting errors which might thus have been widely diffused. With these impressions, Col. Burr was greatly surprised at receiving a letter which he considered as evasive, and which in manner he deemed not altogether decorous. In one expectation, however, he was not wholly deceived, for the close of General Hamilton's letter contained an intimation that if Col. Burr should dislike his refusal to acknowledge or deny, he was ready to meet the consequences. This Col. Burr deemed a sort of defiance, and would have felt justified in making it the basis of an immediate message. But as the communication contained something concerning the indefiniteness of the request, as he believed it rather the offspring of false pride than of reflection, and as he felt the utmost reluctance to proceed to extremities while any other hope remained, his request was repeated in terms more explicit. The replies and propositions on the part of Gen. Hamilton have, in Col. Burr's opinion, been constantly in substance the same.

Col. Burr disavows all motives of premeditated

hostility, a charge by which he thinks insult added to injury. He feels as a gentleman should feel when his honor is impeached or assailed; and without sensations of hostility or wishes of revenge, he is determined to vindicate that honor at such hazard as the nature of the case demands.

The length to which this correspondence has extended, only tending to prove that the satisfactory redress, earnestly desired, cannot be obtained, he deems it useless to offer any proposition, except the simple message, which I shall now have the honor to deliver.

REMARKS BY HAMILTON ON THE LETTER OF JUNE 27, 1804

Whether the observations on this letter are designed merely to justify the result which is indicated in the close of the letter, or may be intended to give an opening for rendering any thing explicit which may have been deemed vague heretofore, can only be judged of by the sequel. At any rate, it appears to me necessary not to be misunderstood. Mr. Pendleton is therefore authorized to say, that in the course of the present discussion, written or verbal, there has been no intention to evade, defy, or insult, but a sincere disposition to avoid extremities, if it could be done with propriety. With this view, Gen. Hamilton has been ready to enter into a frank and free explanation on any and every object of a specific nature, but not to answer a general and abstract inquiry embracing a period too long for any

accurate recollection, and exposing him to unpleasant criticisms from, or unpleasant discussions with, any and every person who may have understood him in an unfavorable sense. This (admitting that he could answer in a manner the most satisfactory to Col. Burr) he should deem inadmissible in principle and precedent, and humiliating in practice. To this therefore he can never submit. Frequent allusion has been made to slanders said to be in circulation. Whether they are openly or in whispers, they have a form and shape and might be specified. If the alternative alluded to in the close of the letter is definitely tendered, it must be accepted; the time, place, and manner to be afterwards regulated. I should not think it right in the midst of a Circuit Court to withdraw my services from those who may have confided important interests to me and expose them to the embarrassment of seeking other counsel, who may not have time to be sufficiently instructed in their case. I shall also want a little time to make some arrangements respecting my own affairs.

STATEMENT BY HAMILTON AS TO HIS MOTIVES IN MEETING BURR

On my expected interview with Col. Burr, I think it proper to make some remarks explanatory of my conduct, motives, and views. I was certainly desirous of avoiding this interview for the most cogent reasons:

(1) My religious and moral principles are strongly opposed to the practice of duelling, and it would

ever give me pain to be obliged to shed the blood of a fellow-creature in a private combat forbidden by the laws.

(2) My wife and children are extremely dear to me, and my life is of the utmost importance to them in various views.

(3) I feel a sense of obligation towards my creditors; who, in case of accident to me by the forced sale of my property, may be in some degree sufferers. I did not think myself at liberty as a man of probity lightly to expose them to this hazard.

(4) I am conscious of no ill-will to Col. Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives.

Lastly, I shall hazard much and can possibly gain nothing by the issue of the interview.

But it was, as I conceive, impossible for me to avoid it. There were intrinsic difficulties in the thing and artificial embarrassments, from the manner of proceeding on the part of Col. Burr.

Intrinsic, because it is not to be denied that my animadversions on the political principles, character, and views of Col. Burr have been extremely severe; and on different occasions I, in common with many others, have made very unfavorable criticisms on particular instances of the private conduct of this gentleman. In proportion as these impressions were entertained with sincerity and uttered with motives and for purposes which might appear to me commendable, would be the difficulty (until they could be removed by evidence of their being erroneous) of explanation or apology. The disavowal required of

me by Col. Burr in a general and indefinite form was out of my power, if it had really been proper for me to submit to be questioned, but I was sincerely of opinion that this could not be, and in this opinion I was confirmed by that of a very moderate and judicious friend whom I consulted. Besides that, Col. Burr appeared to me to assume, in the first instance, a tone unnecessarily peremptory and menacing, and, in the second, positively offensive. Yet I wished, as far as might be practicable, to leave a door open to accommodation. This, I think, will be inferred from the written communication made by me and by my directions, and would be confirmed by the conversations between Mr. Van Ness and myself which arose out of the subject. I am not sure whether, under all the circumstances, I did not go further in the attempt to accommodate than a punctilious delicacy will justify. If so, I hope the motives I have stated will excuse me. It is not my design, by what I have said, to affix any odium on the conduct of Col. Burr in this case. He doubtless has heard of animadversions of mine which bore very hard upon him, and it is probable that as usual they were accompanied with some falsehoods. He may have supposed himself under a necessity of acting as he has done. I hope the grounds of his proceeding have been such as ought to satisfy his own conscience. I trust, at the same time, that the world will do me the justice to believe that I have not censured him on light grounds nor from unworthy inducements. I certainly have had strong reasons for what I have said, though it is possible

that in some particulars I may have been influenced by misconstruction or misinformation. It is also my ardent wish that I may have been more mistaken than I think I have been; and that he, by his future conduct, may show himself worthy of all confidence and esteem and prove an ornament and a blessing to the country. As well, because it is possible that I may have injured Col. Burr, however convinced myself that my opinions and declarations have been well-founded, as from my general principles and temper in relation to similar affairs, I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thoughts even of reserving my second fire, and thus giving a double opportunity to Col. Burr to pause and reflect. It is not, however, my intention to enter into any explanations on the ground. Apology from principle, I hope, rather than pride, is out of the question. To those who, with me, abhorring the practice of duelling, may think that I ought on no account to have added to the number of bad examples, I answer that my relative situation, as well in public as private, enforcing all the considerations which constitute what men of the world denominate honor, imposed on me (as I thought) a peculiar necessity not to decline the call. The ability to be in future useful, whether in resisting mischief or in effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular.

TO MRS. HAMILTON

July 10, 1804.

This letter, my dear Eliza, will not be delivered to you, unless I shall first have terminated my earthly career, to begin, as I humbly hope, from redeeming grace and divine mercy, a happy immortality. If it had been possible for me to have avoided the interview, my love for you and my precious children would have been alone a decisive motive. But it was not possible, without sacrifices which would have rendered me unworthy of your esteem. I need not tell you of the pangs I feel from the idea of quitting you, and exposing you to the anguish I know you would feel. Nor could I dwell on the topic, lest it should unman me. The consolations of religion, my beloved, can alone support you; and these you have a right to enjoy. Fly to the bosom of your God, and be comforted. With my last idea I shall cherish the sweet hope of meeting you in a better world. Adieu, best of wives—best of women. Embrace all my darling children for me.

TO MRS. HAMILTON

Tuesday evening, 10 o'clock.

My Beloved Eliza:

Mrs. Mitchell[1] is the person in the world to whom, as a friend, I am under the greatest obligation. I have not hitherto done my duty to her. But resolved to repair my omission to her as much as

[1] The sister of Mr. Peter Lytton and of Hamilton's mother, according to the statements in J. C. Hamilton's unfinished life of his father.

possible, I have encouraged her to come to this country, and intend, if it shall be in my power, to render the evening of her days comfortable. But if it shall please God to put this out of my power, and to enable you hereafter to be of service to her, I entreat you to do it, and to treat her with the tenderness of a sister. This is my second letter. The scruples of a Christian have determined me to expose my own life to any extent, rather than subject myself to the guilt of taking the life of another. This much increases my hazards, and redoubles my pangs for you. But you had rather I should die innocent than live guilty. Heaven can preserve me, and I humbly hope will; but, in the contrary event, I charge you to remember that you are a Christian. God's will be done! The will of a merciful God must be good. Once more,

Adieu, my darling, darling wife.

[This interesting paper or letter, now first printed, is unaddressed and undated, but it must have been written after 1800, and perhaps not long before the writer's death. I owe it to the kindness of the gentleman in New York, whose letter I am so unfortunate as to have lost. See page 231 of Vol. IX.]

Herewith is a general statement of my pecuniary affairs, in which there can be no material error.

The result is that calculating my property at what it stands me in, I am now worth about £10,000, and that estimating according to what my lands are now

selling for and are likely to fetch, the surplus beyond my debts may fairly be stated at nearly double that sum; yet I am pained to be obliged to entertain doubts, whether, if an accident should happen to me, by which the sales of my property should come to be forced, it would even be sufficient to pay my debts. In a situation like this, it is perhaps due to my reputation to explain why I have made so considerable an establishment in the country. This explanation shall be submitted.

To men who have been so much harassed in the base world as myself, it is natural to look forward to a comfortable retirement, in the sequel of life, as a principal desideratum. This desire I have felt in the strongest manner, and to prepare for it has latterly been a favorite object. I thought I might not only expect to accomplish the object, but might reasonably aim at it and pursue the preparatory measures, from the following considerations:

It has been for some time past pretty well ascertained to my mind, that the emoluments of my profession would prove equal to the maintenance of my family and the gradual discharge of my debts, within a period to the end of which my faculties for business might be expected to extend in full energy. I think myself warranted to estimate the annual product of those emoluments at twelve thousand dollars at the least. My expenses while the first improvements of my country establishment were going on have been great, but they would this summer and fall reach the point at which, it is my intention they should stop, at least till I should be better able than at present

to add to them; and after a fair examination founded upon an actual account of my expenditures, I am persuaded that a plan I have contemplated for the next and succeeding years would bring my expenses of every kind within the compass of four thousand dollars yearly, exclusive of the interest of my country establishment. To this limit I have been resolved to reduce them, even though it should be necessary to lease that establishment for a few years. In the meantime, my lands now in a course of sale and settlement would accelerate the extinguishment of my debts, and in the end leave me a handsome clear property. It was also allowable for me to take into view collaterally the expectations of my wife: which have been of late partly realized. She is now entitled to a property of between 2,000 and 3,000 pounds (as I compute), by descent from her mother, and her father is understood to possess a large estate. I feel all the delicacy of this allusion, but the occasion, I trust, will plead my excuses, and that venerable father, I am sure, will pardon. He knows well all the nicety of my past conduct.

Viewing the matter in these different aspects, I trust the opinion of candid men will be that there has been no impropriety in my conduct, especially when it is taken into the calculation, that my country establishment, though costly, promises, by the progressive rise of property on this island and the felicity of its situation, to become more and more valuable. My chief apology is to those friends who have from mere kindness endorsed my paper discounted at the banks. On mature reflection I have

thought it justifiable to secure them in preference to other creditors, lest perchance there should be a deficit. Yet, while this may save them from eventual loss, it will not exempt them from present inconvenience. As to this I can only throw myself upon their kindness and entreat the indulgence of the banks for them. Perhaps the request may be supposed entitled to some regard. In the event which would bring this paper to the public eye, one thing at least would be put beyond doubt. This is that my public labors have amounted to an absolute sacrifice of the interests of my family, and that in all pecuniary concerns the delicacy no less than the probity of conduct in public stations has been such as to defy even the shadow of a question.

Indeed, I have not enjoyed the ordinary advantages incident to my military services. Being a member of Congress while the question of the commutation of the half pay of the army for a sum in gross was in debate, delicacy and a desire to be useful to the army by removing the idea of my having an interest in the question, induced me to write to the Secretary of War and relinquish my claim to half pay, which or the equivalent I have never received. Neither have I even applied for the lands allowed by the United States to officers of my rank. Nor did I ever obtain from this State the allowance of lands made to officers of similar rank. It is true that having served through the latter periods of the war on the general staff of the United States and not in the line of this State, I could not claim the allowance as a matter of course; but having before the

war resided in this State, and having entered the military career at the head of a company of artillery raised for the particular defence of this State, I had better pretensions to the allowance than others to whom it was actually made, yet it has not been extended to me.

A. H.

RULES FOR MR. PHILIP HAMILTON

From the first of April to the first of October he is to rise not later than six o'clock; the rest of the year not later than seven. If earlier, he will deserve commendation. Ten will be his hour of going to bed throughout the year.

From the time he is dressed in the morning till nine o'clock (the time for breakfast excepted), he is to read law. At nine he goes to the office, and continues there till dinner time. He will be occupied partly in writing and partly in reading law.

After dinner he reads law at home till five o'clock. From this time till seven he disposes of his time as he pleases. From seven to ten he reads and studies whatever he pleases.

From twelve on Saturday he is at liberty to amuse himself.

On Sunday he will attend the morning church. The rest of the day may be applied to innocent recreations.

He must not depart from any of these rules without my permission.

LAST WILL AND TESTAMENT OF ALEXANDER HAMILTON

In the name of God, Amen!

I, Alexander Hamilton, of the State of New York, counsellor at law, do make this my last will and testament, as follows: First, I appoint John B. Church, Nicholas Fish, and Nathaniel Pendleton, of the city aforesaid, esquires, to be executors and trustees of this my will, and I devise to them, their heirs and assigns, as joint tenants, and not as tenants in common, all my estate, real and personal, whatsoever and wheresoever upon trust, at their discretion to sell and dispose of the same at such time and times, in such manner, and upon such terms as they the survivors and survivor shall think fit, and out of the proceeds to pay all the debts which I shall owe at the time of my decease, in whole, if the fund shall be sufficient, proportionally, if it shall be insufficient, and the residue, if any there shall be, to pay and deliver to my excellent and dear wife, Elizabeth Hamilton.

Though, if it please God to spare my life, I may look for a considerable surplus out of my present property; yet if he should speedily call me to the eternal world, a forced sale, as is usual, may possibly render it insufficient to satisfy my debts. I pray God that something may remain for the maintenance and education of my dear wife and children. But should it on the contrary happen that there is not enough for the payment of my debts, I entreat my dear children, if they or any of them shall ever be able, to make up the deficiency. I without

hesitation commit to their delicacy a wish which is dictated by my own. Though conscious that I have too far sacrificed the interests of my family to public avocations, and on this account have the less claim to burthen my children, yet I trust in their magnanimity to appreciate, as they ought, this my request. In so unfavorable an event of things, the support of their dear mother, with the most respectful and tender attention, is a duty all the sacredness of which they will feel. Probably her own patrimonial resources will preserve her from indigence. But in all situations they are charged to bear in mind that she has been to them the most devoted and best of mothers. In testimony whereof, I have hereunto subscribed my hand, the ninth day of July, in the year of our Lord one thousand eight hundred and four.

ALEXANDER HAMILTON.

Signed, sealed, published, and as and for his last will and testament in our presence, who have subscribed our names in his presence.

DOMINICK T. BLAKE.
GRAHAM NEWELL.
INEZ B. VALLEAU.

Epitaph on a Tablet, by the Society of the Cincinnati, in Trinity Church, New York

This Tablet
does not profess to perpetuate
the memory of a man,
to whom the age has produced
no superior;
nor to emblazon worth,
eminently conspicuous in every feature
of his country's greatness;
nor to anticipate posterity in their
judgment of the loss which she has
sustained by his premature death;
but to attest,
in the simplicity of grief,
the veneration and anguish which fill
the hearts of the members of the
New York State Society of
Cincinnati
on every recollection
of their illustrious brother,
Major-General
Alexander Hamilton.

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4 Pay-book of artillery company, and memoranda of books read.

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60 Letter from Hamilton to General Sullivan, 1778.

60 Routine letter written for Washington, and conveying Washington's orders.

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139 Reorganization of the Army. Supposed to have been addressed by Washington to committee of Congress, January 28, 1778. From two rough drafts in Hamilton's handwriting.

153 Inspector-General. Report by Washington. Draft by Hamilton, May 5, 1778.

164 Military Remarks and Queries. Submitted by Washington to committee of Congress. Draft by Hamilton.

168 Inspector-General. Report of Washington and committee, January 28, 1779. Draft by Hamilton.

171 Mission to France. Washington to Laurens. Draft by Hamilton.

176 Military Regulations. Submitted to Washington. Draft by Hamilton.

183 Discipline. Submitted by Washington to Congress, February 3, 1781. Draft by Hamilton.

These papers did not seem to merit reprinting. In those which were used substantially as Hamilton drafted them, it is obvious that they embodied Washington's ideas, and Hamilton's part was merely clerical; and, moreover, they can all be found in Washington's writings, or elsewhere. Those not used, like the first and fourth, are also shown by comparison with Washington's writings to be merely attempts by Hamilton to embody the General's views. They have no independent value.

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204 Plan of specific taxation for the State of New York. Merely a list of articles and tax proposed for each.

212 to 283 inclusive. Resolutions and committee reports in Congress. These can all be found in the journals of Congress, and are not therefore reprinted in this edition. Moreover, it is impossible to say how much in each case was Hamilton's, or how far he was mouthpiece of his committee, or his petitioners. The appropriate place for these papers seemed to be in the published journals, etc. Three only of these papers have been retained: one is on public credit; the second, open debate; third, on a plan for a military peace establishment—an important part of Hamilton's scheme for a new system of government.

330 Constitution of Bank of New York.

333 Petition as to Revenue System.

341 Act to institute University of New York. Mr. Proctor, the editor of the forthcoming edition of Hammond's *Political History of New York*, has, I think, shown conclusively that this act was the work of Esra L'Hommedieu.

374 Act to ratify independence of Vermont.

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13 Hamilton to Washington,—1790. Communicating letters from Amsterdam bankers, and discussing the loans and the acts authorizing them.

22 Hamilton to W. Short, May 29, 1790. As to loans.

23 Hamilton to Washington, June 18, 1790. Report as to light-houses.

30 Hamilton to Washington, June 18, 1790. Submitting contract with a light-house keeper.

30 Hamilton to Washington, June 21, 1790. Submitting contract for lumber, etc.

37 Hamilton to Washington, August 28, 1790.

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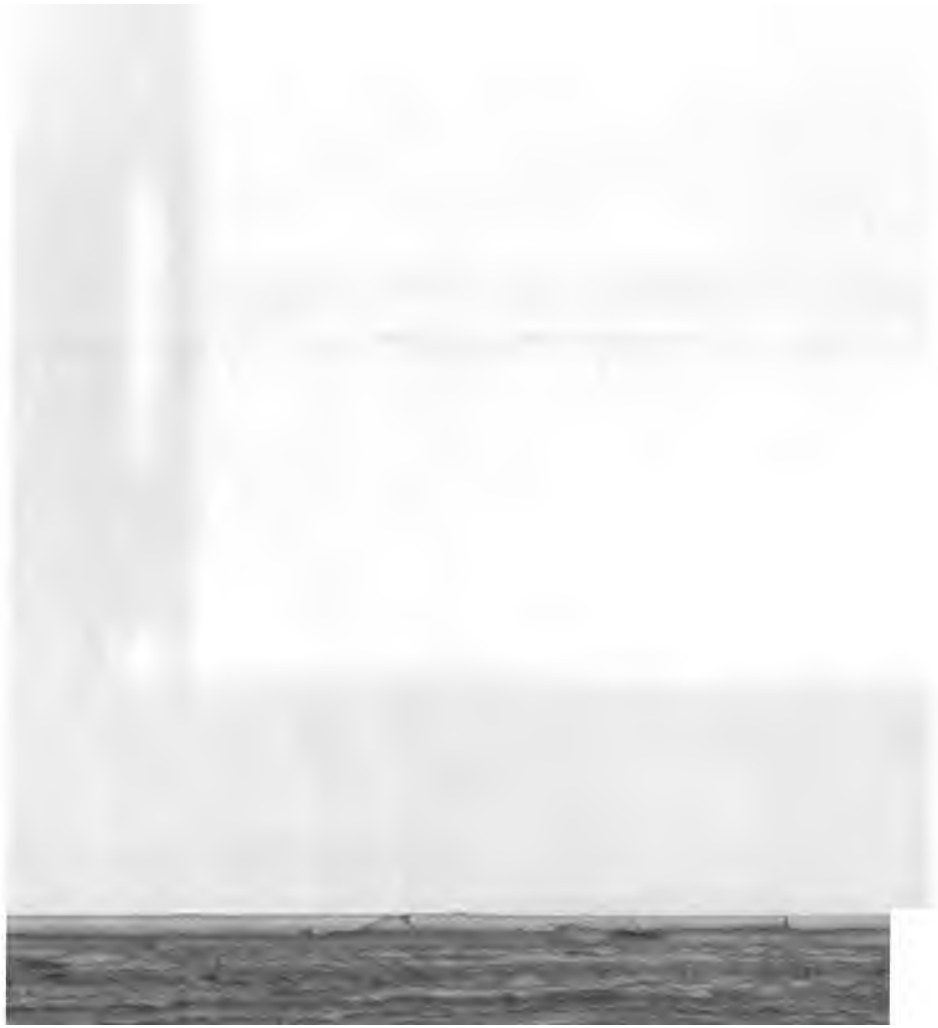

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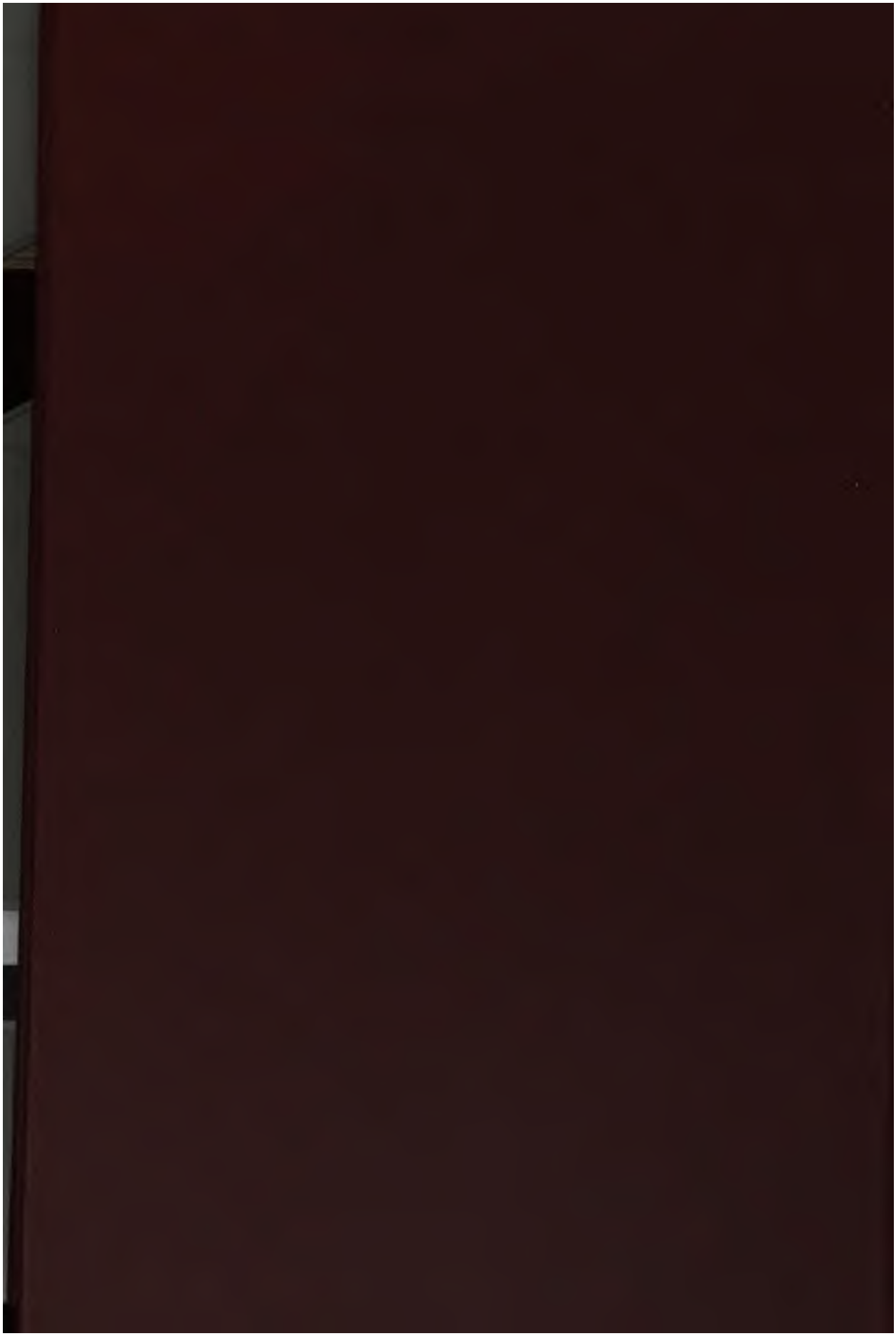
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